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BISHOP BARLOW &
ANGLICAN ORDERS

By the same Author

THE EARLY CHURCH IN THE
LIGHT OF THE MONUMENTS.
A Study in Christian Archæology.
With Illustrations.

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BISHOP BARLOW AND ANGLICAN ORDERS

A STUDY OF THE
ORIGINAL DOCUMENTS

BY
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*A man is not made Bishop by consecration,
but is pronounced so at Rome in Consistory;
and he has no jurisdiction given him by
consecration, but only the rights of his Order,
namely, consecrating of children, et caetera.*

ARCHBISHOP WARHAM

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TO HIS EMINENCE FRANCIS AIDAN
CARDINAL GASQUET

EMINENCE,—

HAD this book, which you have graciously allowed me to dedicate to you, been published five and twenty years ago, by which time many of the preliminary studies for it had already been made, it would have been regarded as a controversial production. For at that time the question of the validity of Anglican Orders was still the subject of active discussion and was in process of examination by the Commission appointed by Leo XIII, of which your Eminence was so distinguished a member. Now that the question has been decided by authority at Rome, the book has no longer the same controversial value. The story of Bishop Barlow is, however, in itself so curious, and throws so much light on the inner workings of that historical period, that I hope its publication may be thought to be justified as a study purely historical, even if without practical influence in the controversies of to-day.

From the first the Catholic objections to Anglican Orders took two main forms, the one historical and the other theological. It was argued, that is, either that the historical chain had been broken and

Apostolical Succession thereby lost ; or else, that even if the material succession had been retained, the form of service employed had been insufficient to hand on the grace of Holy Order, so that the same result had followed. The Commission might, it would appear, have based its finding on either of these arguments or on both combined. But the Bull *Apostolicae Curae*, the result of their deliberations and of the advice which they gave to the Pope, did in fact base its decision solely upon the second or theological argument—an argument which was never put more clearly or succinctly than by Sancta Clara, the Franciscan writer in the time of Charles I, who first tried to prove that there was no essential opposition between the Thirty-nine Articles and the Council of Trent. ‘ All ordinations,’ he wrote, ‘ which are celebrated in a form different from the Church, with an intention sufficiently expressed of opposition to her sense, are invalid.’¹

The historical argument, this other being alone amply sufficient for the purpose required, was not needed, and therefore no appeal was made to it in the Bull. It remained, of course, exactly as cogent and decisive as before. To omit to use an argument, when others are available which are sufficient without its use, is not to throw any doubt upon its efficacy and power.

This, however, Anglican controversialists have never been able to see. Because Leo XIII did not care to use the argument from history, having all that he needed ready to hand in the argument from theology, they have spoken as if he had pronounced

¹ *An Encheiridion of Faith*, by Francis Coventry (2nd edit., Douai, 1655). ‘ Francis Coventry ’ was one of his pen names.

the historical argument unsound and devoid of utility, which is very far from being true.

Most of what is here set forth will be sufficiently familiar to your Eminence. But I flatter myself, even so, that you will find something new in the linking up of various facts and controversies and the demonstration that all alike, disconnected as they seemed, are really all portions of one continuous story, involving more bad faith and more discreditable actions than has hitherto been supposed. That Henry himself was the moving power in the matter has not, I think, been previously suggested, but it seems clear enough when the full force of the 'Signed Bill' of April 1535 is considered. That the singular absence of documentary evidence was due to deliberate action on the part of the authorities is also, I think, a new point, and seems to follow inevitably from the mutilated Patent Roll of 1536. The anachronism contained in Parker's Register, in the account of his consecration, seems to destroy all possibility of that document being of the same date as the ceremony whose details it records. These perhaps are the most important of the new points I have been able to bring forward.

I think, too, that one reason why so many writers have failed altogether to understand Barlow's case is that most of them have forgotten to take into full consideration the obvious truth contained in the quotation from Archbishop Warham which I have placed on the title-page. 'A man is not made bishop by consecration, but is pronounced so at Rome in consistory ; and he has no jurisdiction given him by consecration, but only the rights of his Order, namely,

consecrating of children, *et caetera.*' Warham was not making a far-fetched ultramontane claim, as Canon Dixon rather absurdly interprets, but only stating the fact, true among Anglicans as well as among Catholics, that the complete appointment makes a bishop as far as jurisdiction is concerned, and that consecration only adds the power of Order. It follows that Barlow could be a bishop as regards all power of ruling his diocese and so on, whether he were consecrated or no. And there is no proof that in Henry's time he ever went beyond this strictly legal position and used the power of Order to which he was not entitled.

I hope that your Eminence will deign to read what I have written, and that you will accord a merciful judgment to its many defects.

I have the honour to be,
Your devoted Servant in Jesus Christ,
ARTHUR S. BARNES.

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BISHOP BARLOW AND ANGLICAN ORDERS

CHAPTER I

THE LIFE OF BISHOP BARLOW

WILLIAM BARLOW, of whom we are to treat in the present volume, is one whose fame has certainly been greater since his death than ever it was during his lifetime. He has had the singular fortune to attain immortality, not for any splendid action or intellectual greatness, but simply because it is possible that he once left undone something which he certainly ought to have done. By his consecration of Archbishop Parker he is the principal link, indeed the only link, which joins the succession of the Anglican episcopate of the present day to its Catholic predecessors. But the gravest doubt has for three centuries past been thrown on his own consecration. If he was never consecrated bishop himself, then Parker's consecration fails also, and with it, since the whole Anglican episcopate ever since derives from Parker, there falls the episcopal succession of the Church of England ; except so far as the opinion can be allowed that, if the principal consecrator be himself no bishop, the action of the assistant bishops can sometimes supply what is wanting and effect the consecration. Were it not

for this point Barlow would have no interest for anybody, but might well be left to the general oblivion into which most of his contemporaries have long since fallen, for he does not deserve to be remembered either for his character or his deeds. But the controversy which has connected itself with his name makes some knowledge of the man desirable, as a first step to its solution.

He seems to have been born in Essex, and his real name was Finch. But, like many other ecclesiastics of his day, he preferred to be known rather by the name of his birthplace, which was perhaps Bartlow hamlet, in the parish of Ashdon. When in exile, in Mary's reign, we find him in 'The Troubles of Frankfort,'¹ under the name of 'W. Bartue,' which may be a recollection of the 't' which he ordinarily omitted in spelling his name. Of his early life we know nothing at all, though he is said to have been connected with both the universities. In any case he entered religion, and became a Canon Regular of St. Augustine, an Order which had several houses in various parts of England. His original monastery was St. Osyth, not far from his birthplace, and it is possible that he went from thence to the house of studies belonging to the Order at Oxford, perhaps at Rewley Abbey, and took his D.D. there. It has not, however, been possible to trace the fact, the curious absence of documentary evidence, which we shall find obtaining all through his life, thus beginning with his earliest years. We find the name of William Barlow among the Augustinian canons of the eastern district as prior of Black-

¹ P. clxxxiv in the reprinted edition of 1846.

more, a small house in Essex, and as leaving this to become prior of Tiptree in 1509. The same name occurs later as prior of Lees. This can hardly be the future bishop, who is said to have been seventy years old at the time of the consecration of Archbishop Parker, and therefore cannot have been born till about 1490. Perhaps it was an uncle. But it probably is the Bishop himself whom we find as prior of Brome hill, Norfolk, in 1523, and who in the following year obtained a dispensation to hold the rectory of Great Cressingham, also in Norfolk, in conjunction with his priory. The house at Brome hill, indeed, does not seem to have been a large one, and a year or two later, in 1528, it was one of those which Wolsey obtained leave to suppress in order that he might add its endowments to the new Cardinal's College at Oxford.

It is not very clear what happened to the prior of Brome hill when his house was suppressed. He seems to have been very angry and to have quarrelled violently with the Cardinal and with the Church. Forthwith he began to write a series of heretical pamphlets, the names of which are quite sufficient to suggest their tendency. In 1529 several of these were prohibited by the bishops : 'The Treatyse of the Buryall of the Masse' ; 'A Dialogue betwene the Genty lman and the Husbandman' ; 'The Clymbynge up of Fryers and Religious Persones' ; 'A Description of Godes Worde compared to the Lyght' ; 'A Convicyous Dialoge against Saynt Thomas of Canterberye.' This last was never published, but was a bitter attack upon Cardinal Wolsey for his action in suppressing monastic foundations for the benefit of his new college.

The result of the condemnation of his books by the bishops was to bring Barlow to his senses, and to show him that his chances of further preferment were being seriously jeopardised. He resolved at once, with characteristic versatility, to change sides again, and wrote a letter to the King, piteously imploring forgiveness for what he had done. The letter is among the Cotton MSS. at the British Museum (Cleop. E. iv), and has been endorsed in a later hand, 1533. That date, however, is excluded by internal evidence, and it must really have been written not later than the latter part of 1529. He acknowledges that he has been guilty of errors and heresies 'against the doctrine of Christ and determination of Holy Church,' that he had denied the mass and purgatory and grievously erred against the blessed sacrament of the altar, and further had been guilty of 'slandorous infamy of the pope and the lord-cardinal and outrageous railing against the clergy.' He therefore humbly asks pardon from the King, whom he compliments as full of sound learning and endowed with singular judgment, and to him he makes full and complete submission in every point.

The abject letter succeeded in its object. Henry cannot have thought the writer a good man or one worthy of respect, but he saw that one so pliable and ready to change his opinions at any moment at the bidding of those in power might be a useful instrument in what he was contemplating. Barlow was at once received into favour, and sent with George Boleyn and Stokesley (afterwards Bishop of London) on a mission to France on the matter of the divorce, starting in January 1529-30. He thus came under

Stokesley's influence, and now wrote a book against the Lutherans with whom he had so lately been associating himself. It is entitled 'A Dialoge describing the Originall Ground of these Lutheran Faccions and many of their Abuses.' In it one William, apparently intended to represent himself, disputes with 'Nicholas' about the new learning. Nicholas is a Protestant, and William has been inclined to the same views, but has seen the error of his opinions in consequence of a visit to Germany. There he had been an eyewitness of the 'slanderous language and wicked behaviour' of those who announced themselves to be 'only the true followers and observers of Christ's Gospel.' He had seen Luther himself, 'chief Captain of new heretics and bringer forth of old heresies,' and one 'Swynglyus' who lived at 'Scirich' in Switzerland, and also other Protestant leaders, and had come back disgusted alike with the men themselves and with their doctrines, and very determined to uphold the old religion against all such innovators. 'Was not the original ground and cause of M. Luther's heresy,' he asks, 'to do pleasure to his Prynce and to purchase favour among the people?' That, he thinks, is the real root of all the evil. For, 'when princes and commonities are first bent upon affection against the church, or conceive any strange purpose contrary to Scripture, then immediately they find at hand such learned persons that can endeavour their braines in approving their lusts, making that which is unlawful, lawful; which say that good is evil and evil is good, calling light darkness and darkness light.' The words sound as if they had been written a little later and were intended to describe Barlow's own prince, Henry VIII, and such councillors as Cromwell

and Cranmer, or even Barlow himself. The whole sentiment suggests Stokesley rather than Barlow, and the book may be due to his influence. If so, we can the more readily understand why it was that Stokesley, when he became Bishop of London, ordered all his clergy to read the book. As Barlow was by that time himself a bishop, but once more on the Protestant side and notoriously heretical, it may have seemed a good thing to Stokesley that these more orthodox sentiments should be given as wide a currency as possible under the shelter of his name and authority.

The efforts put forth by Barlow to bring about the divorce attracted the notice and claimed the gratitude of the new Queen. She determined to reward so faithful a champion, and wishing to do so as cheaply as possible, decided to ask Cranmer to present him to the living of Sundridge, which just then fell vacant and was in the Archbishop's gift. Cranmer, either by a genuine blunder, or not wishing to do as the Queen desired, made out the papers, not for Sundridge, but for Tonbridge, a benefice in the gift of the Queen's father, but not vacant at all. Still the Queen was determined he should have some reward for what he had done, and shortly afterwards she advanced him to the Priory of St. Thomas the Martyr at Haverfordwest in Pembrokeshire, which was in her patronage. The priory was of considerable extent, with a church about 150 feet in length and 30 feet in breadth, only single-aisled, and in the shape of a cross. The house seems not to have been in a very flourishing condition, since there were only five other canons there to sign the deed by which in 1534 the new prior formally accepted the royal supremacy.

There was another religious house in Haverford, a small house belonging to the Dominicans, and these soon became Barlow's bitterest enemies. By this time realising that Lutheranism was in the ascendant once more, and that, if he wanted more favours from Anne Boleyn, the profession of Protestant opinions was the surest way to obtain them, he had begun preaching various heretical opinions, to the great scandal of all the neighbourhood. At the instigation of the Bishop of St. David's these Black Friars at last formally presented the prior of the Augustinian canons for heresy. Barlow writes to Cromwell, who by this time was Vicar-General and all-powerful with the King, to implore his protection. One of his servants, he says, has had his house ransacked by the Bishop's officers, and they have taken away from him the New Testament and other books, and induced the Mayor of Tenby to commit him to prison. In the same letter he complains bitterly of the state of the diocese and of the lives of the clergy among whom he finds himself. From the point of view of a keen Gospel reformer he can find nothing good to say of them, and he ends by asking leave to depart and to work in some more congenial neighbourhood in the future.¹

Henry was at this moment at the height of his Protestantism. He was finding strong opposition everywhere, and especially from the Carthusians and Benedictines, to his pretensions to supremacy in ecclesiastical affairs, and any religious who were willing to assist him were just then sure of their reward.

¹ *Letters and Papers, Henry VIII*, ix. 376.

Barlow got his desire, and before the end of 1535 had left Wales, having obtained the much richer and far more desirable Priory of Bisham in Berkshire, the ruins of which still remain on the banks of the Thames. It is now the seat of Sir Henry Vansittart Neale. Nor did his good fortune stop here. He was once more employed in diplomatic work, and in August 1535 he was advanced to the Privy Council and sent on a mission with Thomas Holcroft to Scotland, his duty being to persuade the King of Scotland to follow the example set him by his brother of England, and to break away from obedience to the Holy See. In this mission, so entirely to his own taste, he acquitted himself to the satisfaction of Henry and of Cromwell, and further promotion was accordingly determined on, so soon as a bishopric should fall vacant.

The opportunity came in January 1535-6, when the see of St. Asaph was vacant through the death of Bishop Standysh. Barlow's name was submitted in the letters missive from the King, and he was accordingly elected bishop by the Chapter, the date of the election being January 16. Cranmer confirmed the election on February 23, Barlow being represented by proxy as he was still away on the King's business in Scotland. The *Significavit* or command to consecrate was accordingly not at once issued and he remained bishop-elect; the consecration being deferred *sine die*, at any rate until such time as he should return from his mission. But meanwhile another and more important bishopric in Wales had fallen vacant. Barlow's old enemy at Haverfordwest, Bishop Rawlins of St. David's, was also dead, and it was immediately deter-

mined to promote Barlow to that see without going farther with the matter of St. Asaph. He was elected to St. David's on April 10, 1536, by the Precentor and Chapter (the dean's place at that cathedral being always held by the bishop, so that the precentor was the head of the Chapter whenever the see was vacant), and this election was again confirmed in due course by Cranmer on April 21, 1536. This time Barlow was present in person, having come down from Scotland apparently for the purpose of seeing after the business, and there would seem no reason why he should not have been consecrated two days later or the Sunday following. But apparently this was not intended for some reason, for again the *Significavit* was not issued, and Cranmer sends in his certificate of the confirmation to the King, as having done all that was required of him, and as if no further step was contemplated for the present.

This time his embassy to Scotland had not been very successful, if we may believe Chapuys' report to the Emperor. 'The King,' he writes, 'having sent his ambassadors into Scotland to persuade the King of that country to separate from and refuse obedience to the Apostolic See, it happened that, the very day and moment when the English were delivering their embassy, a storm arose, and a most tremendous clap of thunder was heard, at which King James, horrified, rose from his seat, crossed himself, and exclaimed, "I scarcely know which of the two things has caused me most fear and horror, that thunder and lightning we have just heard or the proposition you have made me." After which, and in the very presence of the English ambassadors, he ordered unconditional

obedience to the Church to be proclaimed throughout his dominions.'¹

As Barlow had not been consecrated, the restoration of the temporalities of the see of St. David's could not be claimed of right from the King ; but a few days later, on April 26, a grant was made under the Great Seal, making him custodian of the temporalities for life, an unusual and indeed unprecedented step, which looked as if his absence in Scotland, and consequent continuance as bishop-elect only, was going to be very prolonged. In virtue of this document, which is a peculiar one from several points of view, Barlow took possession of his see at once, apparently on May 1, sending a proxy down to Wales for the purpose, and himself returned to Scotland to finish up his mission.

It did not, as events turned out, take more than a few days to finish up the business of the Scottish embassy, and he was soon back again in London, where he took his seat in the House of Lords on June 30. The first days of that Parliament were stirring times, when the King's marriage with Anne Boleyn was being debated and the Queen's life was at stake. As Barlow owed everything to Anne Boleyn, and every vote was of importance in the House of Lords at the moment, we may conclude that he had not arrived in London many days before he took his seat. The writ of summons was dated April 27.

A week or two later he surrendered his priory at Bisham into the hands of the King. He had held it, according to some, though not all, of the documents,

¹ *State Papers, Spanish, 1536-8, p. 67.*

in commendam with his bishopric since April, and he is described as perpetual commendatory in the deed of surrender, but the grant allowing him to retain it *in commendam* is not to be traced, and does not seem ever to have been issued.

As long as Parliament was sitting Barlow remained in London, giving the most faithful attendance to his duties. We can trace him day by day in the Journal of the House of Lords, and find that he was scarcely absent from a single sitting. In the autumn, after the House had risen, he went down to visit his diocese in Wales.

It must have been a bitter task for the Canons of St. David's to be obliged to elect as their bishop one who had won for himself so evil a reputation in the diocese for heresy and innovation as had Barlow while Prior of Haverfordwest, and naturally enough they were not inclined to welcome him among them. The storms of Haverfordwest were repeated almost from the first day. Before the year was out the new Bishop had been delated to the Bishop of Coventry and Lichfield, who was lord president of the King's Council in Wales, for heresy preached in the Cathedral Church of St. David's. The information was laid by Roger Lewis the precentor, acting as head of the Chapter. Barlow had said, so it was alleged, among other heresies, that 'if the King's Grace, being Supreme Head of the Church of England, did choose, denominate, and elect any lay man, being learned, to be a bishop, that he so chosen, without mention made of any orders, should be as good a bishop as he is, or the best in England.'¹ The phrase can obviously be

¹ *Letters and Papers, Henry VIII*, xii. 93. Cf. also Strype, *Mem.*, i. 184, *Records*, No. 77.

interpreted in more senses than one. Apparently the matter was quashed by Cromwell, to whom the Bishop of Lichfield reported it, for we hear no more about it.

The new Bishop seems to have been no more happy at St. David's than he had formerly been at Haverfordwest. He was involved in another dispute with his Chapter, this time about the dean's place. They would not allow him to sit in the dean's stall in the cathedral, nor would they allow him to act as head of the Chapter as other bishops had always done. John Barlow, the Bishop's brother, writes about it to Cromwell, and says they have nothing against him, except that they say that no bishop claimed such things before, and they will not show their authority for what they do, but say it is lost. However, they are in deadly earnest about it, and 'threaten to spend to their shirts in the quarrel,' so there can be no doubt they were very deeply moved.¹

Under the circumstances we cannot wonder that Barlow thought once more that he would be happier elsewhere than in this little remote cathedral village, where there was no getting away from his hostile Chapter, and where all were against the views he was engaged in putting forward. He writes again and again to Cromwell letters full of complaints of the place and of his clergy. St. David's, he says, is 'a barbarous, desolate corner,' and the clergy are lacking in Christian civility and full of Welsh rudeness. He wishes to remove the see to Carmarthen, which would be more in the world, and can see no reason for staying at St. David's merely on account of the relics of the

¹ *Letters and Papers, Henry VIII*, xiii. pt. 2, p. 473

Saint—‘a rotten skull stuffed with putrefied clouts’—especially as he has his doubts ‘whether any such person was ever bishop there as is surmised.’ He did not get his way as to the removal of the see, but he could at least remove himself, and this he accordingly did, wrecking the fine old palace at St. David’s by selling the lead off its roof, so that never since has it been possible to inhabit it, and going to live in a new palace of his own, which is still the residence of the Bishops of St. David’s, a mile or two outside the town of Carmarthen. This house had been granted to him at his own urgent request for the purpose of founding a school. However, he thought it so pleasant a place that he made it his own residence instead, and no more was heard of the need for a school.

Here he resided pretty regularly till the end of Henry’s reign, always involved in quarrels with his neighbours, and especially with the country gentry and the clergy. When Parliament was in session we find him in London, the most regular attendant of all in the House of Lords, and he was in London when Henry VIII died in 1546. The next year, February 1547–8, he preached before the new King, and once more gave offence to Bishop Gardiner and the more orthodox party by his doctrine. However, he knew what he was doing ; Protestantism was once more in the ascendant, and his sermon, so far from getting him into trouble, was the means of winning him fresh promotion from the Lord Protector Somerset, who was a thorough-going Protestant. He was advanced in February 1548–9, by letters patent, the first of the bishops to be appointed under the new Act with its Erastian procedure, to be Bishop of Bath and Wells.

This diocese of Bath and Wells had for some time been the centre of the corrupt appointments of the period. The deanery of Wells, with its beautiful house and garden, had attracted the notice first of Cromwell and then of Somerset. Cromwell had obtained possession by getting Henry to appoint him, layman as he was, to be Dean of Wells, and after his attainder the deanery had for a short time been held by one Fitzwilliam, who was in possession in 1547, when Somerset in his turn coveted the house. Fitzwilliam was induced to resign, by what means is not recorded, and the dean's house and the endowments of that office were promptly granted to the Duke of Somerset. Now the deanery was recreated as a royal donative, and the plunder of the Church began. The office of dean, now without revenue, was endowed with the estates of the Archdeaconry and one of the prebends, and with those of the precentor and succentor of the church, and the Chancellor's house was assigned as the new deanery in place of that which had been granted away. John Goodman was appointed to this office on January 7, 1548, by letters patent, and the bishopric being also vacant by the death of Bishop Knight in September 1547, a new bishop who would not be too particular in the matter of alienating the property of his see, much of which Somerset still coveted, had to be found. No name suggested itself as more suitable than that of Bishop Barlow. He had ever shown himself ready to do anything his superiors desired, and was quite prepared, in order to get away from St. David's, to enter into any arrangements that the all-powerful Duke might think satisfactory.

On July 12, 1548, 'for great sums of money paid beforehand,' but of which there is no record, and which do not seem to have been received, Barlow assigned to the Duke of Somerset, by licence from the King, 'the manors of Banwell, Wells and Chew, Blackford, Cranmore, Evercreech, the borough of Wellington, the hundreds of Wells Forum, Winterstoke and Chew, and also the bishop's palaces at Wells, Banwell, and Evercreech. This transaction was confirmed by the Dean and Chapter on January 10, 1549. Then on February 4, 1549, he sold the manor of Wookey to the same Duke for ever, and that was confirmed on January 17, 1549, by the Dean and Chapter. It is possible that some of these estates were re-transferred to Bishop Barlow in his personal capacity and not as bishop of the diocese. Certainly the episcopal manor of Wookey, having been sold to the Duke, was transferred back again to Bishop Barlow and his heirs, with permission to sell it, and on December 10, 1550, the Duke gave him £400 and the dean's house for his residence.'¹

One would have thought there could have been little more to grant away, but it was not so. The next year, March 1, 1550, the manors of Congresbury and Yatton were sold to the King by Bishop Barlow, and on December 10, 1550, he handed over to the Duke of Somerset the estates of Wells, Westbury, the hundreds of Wells and Wells Forum and Westbury Park.² Barlow had thoroughly justified the perspicacity of Somerset in choosing him for promotion, and his excessive and unhesitating compliance with every demand, however unreasonable, suggests that Somerset

¹ Victoria Histories : *Hist. of Somerset*, ii. 37.

² *Ibid.* ii. 37.

had some hold over him, and that we have here an instance of ducal, or rather of royal, blackmail.

Wherever he was, Barlow seemed always to be fated to quarrel with his brother clergy. At Wells it was the Dean, just as at St. David's it had been the Precentor. The Dean had obtained for himself the prebend of Wiveliscombe, apparently to make up for the losses sustained by the deanery, and this was regarded as vacating his office as dean, as clearly no one member of the Chapter could hold two stalls. That, however, was by no means what Dean Goodman desired, and he fought valiantly to retain his place. Barlow, on his side, was eager to see a new dean—one more of his own way of thinking—in his place ; and rather rashly, and without stopping to think, he formally deprived him. Goodman, acting on the advice of his lawyers, attempted to involve the Bishop in a *præmunire* as having interfered with the royal prerogative in depriving one whose office was a royal donative. On appeal, the Bishop's action was allowed, and the deanery was declared vacant, but Barlow had to sue out a pardon from the King for what he had done. Goodman, however, was not to be beaten, although a new dean was appointed by the King in his stead. He brought an action in Chancery against his successor, and finally succeeded in getting back and becoming dean once more, when the death of Edward VI in 1553 placed Mary upon the throne.

The accession of Queen Mary put an end to all Barlow's hopes. There was indeed little chance that the new Queen would have any mercy on one like himself, a married bishop who had once been a monk, but had broken his vows, and who besides was noto-

riously heretical in his opinions, as well as a despoiler of each of the two sees he had occupied. There was no question of his continuance in his bishopric. The question was rather whether or not he could save his life, and that at any rate he had no mind to lose upon a mere matter of doctrine. So he came up to London ready for any submission which might be required of him.

He wrote a letter to the Queen condemning and revoking all that he had written against the Catholic religion, and thanking God for His mercy in calling him once more out of darkness into light. In spite of this, he was committed to the Tower, but was allowed to resign his bishopric upon recanting his errors and republishing his old tract against the Lutherans. This must have been in the early months of 1553-4 (for the book is dated 1553, and yet was published after his resignation), for he is described on the title-page as 'Sir William Barlowe chanon, late byshop of Bath.' In November 1554 he attempted to get out of England in the disguise of a merchant, but was arrested and brought before the Council in the Star Chamber, who committed him to the Fleet. Then he was once more brought up for examination, but gave answers so far Catholic in complexion that no further steps were taken, but he was remanded to the Fleet. From thence he escaped, and this time succeeded in crossing the Channel. He went to Germany, and for the remainder of Queen Mary's reign remained abroad at Embden, ministering in poor circumstances to an English congregation at that place.

In spite of his resignation of his bishopric having been accepted, a sentence of deprivation seems to have

been pronounced against him at a later date. The matter is not very clear and is not of great importance, but in some of the documents connected with the appointment of his successor the see is spoken of as being vacant 'by the free resignation,' and in others as 'by the deprivation' of its former occupant. Machyn, moreover, in his *Diary* speaks of him as having been deprived in Queen Mary's time 'for that he had a wyf and for other matters.'¹

With the death of Mary and the accession of Elizabeth things in England looked brighter for the champions of Protestantism, and when the news got to him in Germany, Barlow, old as he was, for he was now seventy years of age, at once determined to go to England. He was included in the commission for the consecration of Archbishop Parker in 1559 and eventually took the principal part, as the actual consecrator, in the ceremony at Lambeth, having been before that appointed by the Queen and elected by the Chapter to the bishopric of Chichester. There was no question of sending him back to either of his former sees, for neither Bath and Wells nor St. David's would have welcomed him after the way in which he had alienated the revenues and quarrelled with the clergy in each place. Chichester was not an important or a rich diocese in those days, and he could do little harm there. To add to the revenues of the see, which were not large, a canonry of Westminster was conferred upon him when the monastery there was once more suppressed, and this he held *in commendam* with his bishopric for the next five years. His death

¹ Machyn's *Diary*, p. 199. Cf. Strype's *Annals*, vol. i. pt. ii, p. 198.

occurred at a very advanced age at Chichester on August 15, 1568, and he was buried in Chichester Cathedral.

His wife, Agatha Welsbourne, daughter of Humphrey Welsbourne and formerly a nun, survived him and died at the age of ninety in 1595. By her he had two sons, William, afterwards archdeacon of Salisbury and a man of some scientific attainments, and John, who apparently died young.

He had also five daughters, all of whom were married to bishops, Anne to the Bishop of Hereford, Elizabeth to the Bishop of Winchester, Margaret to the Bishop of Lichfield, Frances to the Archbishop of York, and Antoine to another Bishop of Winchester. Even if his claim to be Father of the Anglican episcopate cannot be sustained, at least he was father-in-law to a large portion of the episcopate of the reign of Queen Elizabeth.

Such, then, in life, was the man concerning whom the question has been debated for three hundred years whether or no he was ever consecrated himself to the episcopal office. The question was never raised publicly in his own lifetime, nor for many years after his death. It was the absence of the record of his consecration from the documents printed or referred to by Mason in his '*Vindiciæ Ecclesiæ Anglicanæ*' in 1613 and 1625 that first gave the idea to Champney, a writer on the Catholic side, that no such record was in existence. Such is indeed the fact; the record of the consecration is missing in Cranmer's Register at Lambeth, though the confirmation to both St. Asaph and St. David's is duly recorded. But on the other

hand the improbability of the consecration ceremony having been omitted is so great that at first sight it hardly seems worth discussing. Bramhall has put the case as well as anyone, and it certainly sounds almost conclusive. His words are these : ' What pretence can they feign why Bishop Barlow was not consecrated in Henry VIII's time ? Was Henry VIII a baby to be jested withal ? In Archbishop Parker's case they suppose all the bishops to have been stark mad, to cast themselves down headlong from a precipice when they had a fair pair of stairs to descend by ; but in Bishop Barlow's case they suppose all the world to have been asleep ; except there had been such an universal sleep, it had been impossible for any man in those days to creep into a bishopric in England without consecration. To say he is actually possessed of a bishopric therefore he is consecrated, is as clear a demonstration in the English law as it is in nature to say, the sun shineth, therefore it is day.' ¹

We may grant some of this at once. Henry VIII, in the first days of his drunkenness with the new powers of the royal supremacy, was emphatically not ' a baby to be jested withal.' Nor, it may be added, was either Cranmer or Barlow at all a likely person to attempt the perpetration of such a jest upon the supreme head. But how does the case stand if Henry was himself the instigator ? How if the action was itself only a fresh abuse of the royal supremacy ? If Henry had set his heart upon it and desired that it should be done, we may turn the question round and ask in our turn, was he ' a baby to be jested withal ' ?

¹ *Archbishop Bramhall's Works*, Library of Anglo-Catholic Theology, iii. 140.

Or again, were either Cranmer or Barlow the men who were likely to stand out against his will for a ceremony they both thought needless and undesirable? The supposition that Henry was himself the originator of what was done, may still be improbable, but it is not impossible, and neither Bramhall himself nor any Anglican writer has ever faced the question or attempted to deal with it. The *onus probandi*, we quite admit, lies with those who deny the consecration, but their case will no longer seem ludicrous if it can be shown even that Henry was not certainly opposed to it.

But the evidence against the consecration is itself so slight, says Archbishop Bramhall again. 'What is the absence of a single document in a register which was badly kept?' But what if it be not only a single document which is missing, but a whole series of documents, and these not in one place only or in a single register, but in many places, and in the State records as well as those of the Church? What if every document is available up to the point just before consecration, and every document after that point not only now missing but apparently never issued at all? What if, in addition to this absolute want of confirmatory evidence, there should be positive evidence as well, showing that the Bishop was as a matter of fact in full possession of his see, using the full title and insignia of a bishop, and so forth, at a time when not only had consecration not taken place, but when it was not immediately contemplated? If that can be shown, and we hope in the course of this volume to prove it clearly, the matter will bear a very different complexion. It is never possible to prove a negative,

and Barlow may have been consecrated secretly and without documents at some later time, but there is not the smallest reason to think that it was so, and the *onus probandi* in that case, if anything has to be based upon the assertion, clearly lies with those who maintain, and not with those who deny that anything of the sort was ever carried through. If it can be shown that Barlow was still unconsecrated when he was passing as full bishop and already possessed of all the rights of his bishopric, and that there is no shadow of reason to think that he was ever consecrated later, that, by the nature of the case, is all that can possibly be known. For all practical purposes it is enough to prove that he was not consecrated at the proper time, before he took possession of his bishopric. If we succeed in proving that, the rest will be granted, in default of any evidence to the contrary, by every reasonable man.

CHAPTER II

THE VIEWS OF HENRY VIII ON THE NECESSITY OF CONSECRATION

THE general impression on the minds of those who have not read the history of the Reformation period very carefully is that Henry VIII, except on the one point of the royal supremacy, was a consistent and even a bigoted Catholic. They remember his book on the Seven Sacraments against Martin Luther and the recognition it won from the Pope himself, and they remember the Six Articles—‘the whip with six strings’—and the reactionary policy of his later years. But they are apt to forget that there was a period in between—the seven years, namely, from 1533 to 1540—when his views were by no means so settled or so Catholic. During those years he would have been a bold man who would have ventured to prophesy in which camp the King would end. Again and again he seemed to be on the point of taking the final step, and joining the Lutheran princes of the north as the champion of Protestant Christianity on the basis of the Augsburg Confession.¹ Throughout the period his religious

¹ See, for instance, the instructions given to Bishop Foxe when he was sent as Ambassador to the German princes in September 1535. ‘In case they shall require that the King’s Majesty shall receive

opinions, so far as they were fixed and decided at all, leant much more in the Lutheran than in the Catholic direction. The breach with Rome, which was precipitated by the anxiety of the King to get rid of Catherine of Aragon in order that he might be free to marry Anne Boleyn in her stead, took place in the year 1533. Such a step was not likely to be carried through without arousing a good deal of heated feeling, and the next few years form a period of the greatest unsettlement and anxiety, dominated by the masterful, and indeed tyrannical, actions of Henry himself, inspired throughout as he was by his new minister Thomas Cromwell, the Machiavelli of English politics. No one could say where the innovations were going to stop. It all depended upon the personal will of the King himself and the guidance of his unscrupulous minister.

The years 1535-1536 were the really critical period. They begin with the assumption by Henry of the title of Supreme Head of the Church and the appointment of Cromwell to be his Vicar-General in spiritual matters. Soon a veritable reign of terror was introduced. The executions of More and Fisher on Tower Hill, and of the Carthusian priors at Tyburn, brought home to all that neither

the whole confession of Germany [Augsburg], as it is imprinted, the Bishop shall say that when the King's Highness shall have seen and perused the articles of the league, and shall perceive that there is in it contained none other articles but such as may be agreeable with the Gospel, and such as His Highness ought and conveniently may maintain, it is not to be doubted, and also "I durst boldly affirm," the said Bishop shall say, "that the King's Highness will enter the same" [league]. *Record Office MS.*, quoted by Froude, *History*, ii. 404, edition 1856.

lofty position nor personal holiness would avail anybody at all if he dared to withstand the King's arbitrary will in any matter touching the supremacy. Not many men in any age are of the stuff of which martyrs are made, and, when once Henry had shown by these judicial murders to what lengths he was willing to go to get his own way, there were few found to withstand his pleasure. When the rising in the north, which we know as the Pilgrimage of Grace, had been suppressed by the Duke of Norfolk, and the country terrorised afresh by savage executions of all who had taken part in the insurrection, the King and Cromwell were practically absolute, none daring to stand up against them within the realm.

Outside of England, however, Henry stood in a far less favourable position. Only the fact that the Emperor and the King of France were at war with one another saved him from an attack from either or from both combined. So soon as peace should be concluded the danger would be acute, for Pole was acting as the Ambassador of the Pope and trying to induce them to patch up their differences with each other, and to join together in prohibiting commercial intercourse with England, and so reducing her to an early submission. Against this threatened action, however, there was an obvious counter-move available, for which Cromwell was exceedingly anxious. The Protestant princes of Germany, who had just renewed the Schmalcaldic League, were eager that Henry should join them and place himself at their head, thus making a great Protestant confederation of the north to withstand

the efforts of the Pope and the Catholic princes of the south. The policy of the move was obvious, and yet Henry could not bring himself to make it. He was not prepared to go all lengths with Luther and the German Reformers. He still retained his belief in the sacramental system of the Church and especially in Transubstantiation and the Mass. A league with the Protestant princes was therefore, as he told them, out of the question until an agreement on doctrinal matters had been arrived at. Nor was such agreement easy in his own case, since he had already published a book against Luther of which he was inordinately proud, and he had no desire to humiliate himself before all Europe by eating his own words and confessing that Luther had been right and he wrong in the points at issue. It was one thing to repudiate the authority of the Pope within his own dominions and to make himself Supreme Head of the Church in England, it was quite another to break with the whole sacramental system of the Church and to confess himself a follower of a German friar who had broken his vows. Desirable as the alliance might be from a political point of view, pride blocked the way and kept him true to the remnants of Catholic faith which still survived in his mind.

On one point, however, he does seem to have been tempted to adopt the Lutheran doctrine. Luther was teaching that there was no real distinction between priests and bishops in the matter of order, but only in that of jurisdiction. That was a view which had been maintained by a few Catholic theologians in the past, and it was particularly con-

venient for the German reformers, since the bishops had nowhere joined themselves to their cause. Catholic writers in this sense had derived the whole episcopal authority from the Pope, as the sole fountain of ecclesiastical jurisdiction, and had held that the power of ordination, ordinarily exercised only by the bishops, was really latent in the priesthood, and might conceivably be called forth into active exercise. Such views were never common in the Church, and since the Council of Trent they have become heretical, but they seem sometimes to have been maintained, and the Protestants adopted them with only one change—that since *they* derived all ecclesiastical jurisdiction either from the civil power or from the call of the congregation, they held that the whole source of the episcopal power resided in the lawful appointment, and attached no importance at all to the ceremony of consecration.

To this latter doctrine Henry, under Cromwell's influence, seems to have leant. It is obvious enough that it tends largely to increase the power of the king as supreme head, and it would not at the time have seemed heretical quite in the same sense as would have been the denial of the priesthood or the derivation of priestly power from lay sources. It could be represented as a question of jurisdiction, in which order was not necessarily involved, and jurisdiction had already in England been taken away from the Pope and assigned to the royal power.

In the year 1540, with the view of compiling some statement of doctrine for England to follow, Henry put out some questions on the sacraments, to

be answered by a commission of bishops and learned men. Among these questions was one—the twelfth—which ran as follows: ‘Whether in the New Testament be required any consecration of a bishop or priest, or only appointing to the Office is sufficient?’ To this apparently he expected an answer to the effect that appointment alone was needed; at least from such prelates as Cranmer and Barlow; but he was somewhat disappointed when he got the answers. At first they do not seem to have answered as individuals, but to have sent answers agreed upon by groups. From one such group, which seems to have had the adhesion of Cranmer, the answer given was that ‘Making of Bishops hath two parts, Appointment and Ordering. Appointment, which the Apostles by necessity made by common election, and sometime by their own several judgment, could not then be done by Christian princes, because at that time they were not; and now at this time appertaineth to Christian princes and rulers. But in the Ordering, wherein grace is conferred, the Apostles did follow the rule taught by the Holy Ghost, *Per manuum impositionem cum oratione et jejunio.*’ They further went on to say that ‘Only appointment is not sufficient, but Consecration, that is to say Imposition of hands with fasting and prayer, is also required. For so Apostles used to order them that were appointed, and so have been used continually and we have not read the contrary.’¹

¹ Strype’s *Cranmer*, App. xxvii and xxviii, quoting Cottonian MSS. Cleopatra E. 5, fol. 38. The whole history is a little obscure, and has been made more so by the marginal references added to the MS.

These answers were not at all to Henry's taste at the moment, and he has left the proof of his annoyance by three notes in his own handwriting which he has placed against them. To the assertion that 'making of Bishops hath two parts—Appointment and Ordering,' he asks, 'Where is this distinction found?' To the main contention he rejoins, 'Now, since you confess that the Apostles did occupate the one part, which now you confess belongeth to princes, how can you prove that Ordering is only committed to you Bishops?' And to the quotation in Latin about the method of Ordination, he appends the note, '*Ubi hoc?*'

Nor did the King stop short at simply making notes. He learnt from Cranmer or from some other source that the reason why the answers had not been more to his liking was that the influence of Stephen Gardiner, Bishop of Winchester—than whom, as Lingard says, no prelate was 'more feared by those of the New Learning,¹ or more respected by those of the Old'—had been very strong on the Commission. He determined therefore to dismiss Gardiner,² replacing him on the Commission by the Bishop of Carlisle, and then sent back the questions for further consideration. When Gardiner was once removed, and the King's own views were thus clearly indicated, the answers of the prelates were far more inclined to innovation. A summary of them, drawn from

¹ It is scarcely necessary, perhaps, to point out that the 'New Learning,' in the language of the sixteenth century, simply means 'the novel teaching' or Lutheranism and Protestantism generally. It has nothing to do with Humanism.

² Cf. Strype's *Cranmer*, I. 110.

the MSS. in the Lambeth Library,¹ is printed in Burnet's 'History of the Reformation.' Cranmer's view is now that 'In the New Testament, he that is appointed to be a bishop or a priest, needeth no consecration by the scripture, for election or appointing thereto is sufficient.' Barlow agrees 'Only the appointing.' In their answers to a former question these two prelates are even more thoroughly Erastian. Cranmer draws a parallel between civil ministers and ecclesiastical, and says that just as 'the civil ministers . . . be those whom it shall please his highness for the time to place under him,' so also 'the ministers of God's word, under his majesty, be the bishops, parsons, vicars and such other priests as be appointed by his highness to that ministration, as, for example, the Bishop of Canterbury, the Bishop of Durham, etc.' Barlow said, 'because the Apostles lacked a Christian prince, by that necessity they ordained other Bishops,' not apparently through any authority given them by God. Cranmer, however, was evidently by no means sure what the King really wanted, and he ends his paper of answers with the following abject words. 'This is my opinion and sentence at this present, which I do not temerariouly define, but do remit the judgment thereof wholly unto your majesty.'

He had good reason. Already, perhaps, as he penned the words, the fall of Cromwell had come, and with it his swift beheading on Tower Hill. The time of reaction had arrived. The King was in love with Katherine Howard, and Cromwell's offence

¹ Stillingfleet MSS., D. 1108, fol. 69.

had been that he had arranged the marriage with Anne of Cleves, which now kept Henry from satisfying his desires. With Cromwell's influence gone, the King passed more and more into the hands of the Catholic party, and Cranmer's own head would very likely have fallen also within a few months had not the discovery of Katherine's infidelity diverted the King's thoughts and given Cranmer a further period of influence, though not of such influence as he had before enjoyed.

This long introduction has been necessary to show that there was a time when Henry VIII was actually considering the possibility of imposing on England that doctrine of the ministry and especially of the episcopate which was already widely accepted among the Lutherans of the Continent. The inducement to adopt this doctrine was a double one. It would manifestly greatly increase the power of the royal supremacy if all the bishops should confessedly owe all their authority to the royal appointment and not to any spiritual succession conveyed through consecration. At the same time such a doctrine would be of advantage in bringing England into line with the princes of Northern Europe and the Schmalcaldic League. Christian III was actually at this moment imposing it on Denmark and Norway.¹ Cromwell, we may assume, would be active in pressing it, for it agreed precisely with his views and policy. Cranmer at this period was

¹ For this matter of the Danish 'Bishops' since 1536 see in *The Church Quarterly Review*, vol. xxxii, an article by Canon A. J. Mason, on 'The Loss of the Succession in Denmark.'

more anxious to agree with the King than to put forward any views of his own, but his personal inclinations would certainly have favoured the Lutheran doctrine. Moreover, it is clear from a comparison of his two answers already given, that he believed the King's inclinations and intentions to be moving, at that moment, in the same direction.

We come, therefore, next, to ask the question whether as a matter of fact in any single case the doctrine was actually put in force. The great majority of English bishops at this period were undoubtedly consecrated in the traditional manner. Was there even any single case in which the theory that the appointment by the supreme head was relied on as being in itself sufficient, and consecration was omitted as being unnecessary and non-essential? To this question a glance at Stubbs' '*Registrum Sacrum Anglicanum*' at once supplies an answer. In every case except one there exists sufficient evidence, either in Cranmer's own register, or else in that of the Bishop himself, or at least in some contemporary and authoritative document, to put the consecration beyond doubt. In one single case, that of William Barlow, who was appointed Bishop of St. Asaph early in 1535-6 and translated, still unconsecrated, to St. David's in April 1536, there is extant no documentary evidence of any kind whatever which can be quoted to prove that consecration was even contemplated. If the theory was actually carried into effect in any one single instance, we have found the man.

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The range of documents from which such evidence can be obtained is considerable. As a

rule satisfactory proof of the consecration of any bishop can be produced from the following sources, any one of which under the circumstances, and seeing that *a priori* the probability of consecration having actually taken place is so overwhelmingly strong, would be alone and by itself amply sufficient to prove the fact.

1. The deed called *Significavit*, issued as Letters Patent under the Great Seal to the Archbishop of the Province. This deed contains the King's mandate to consecrate the bishop-elect, and the Archbishop is bound under all the penalties of *praemunire* to execute this command within twenty days. If, therefore, it can be shown in any individual case that this document was actually issued, we may take it as proof that the consecration followed in due course, as no archbishop would be likely voluntarily to place himself in a position of so great danger.

This document may be found in any one of four places. The original document itself may have survived, though this is most unlikely. It does not seem ever to have been the custom at Lambeth to preserve these. But it ought to be found enrolled on the Patent Rolls, and from 1533 onwards, the date at which it was first introduced, this is practically invariably the case. Then again, it should be on the Archbishop's register, being recited in most cases from that date onwards as the authority for the confirmation of the election. The only exception will be when consecration was not going to follow immediately, for then another document, that commonly known as the Royal Assent, is recited in its place as the authority for confirmation, and the

Significavit comes at a later date as the authority for consecration. Lastly, if the *Significavit* itself cannot be found anywhere, it may be possible to recover the authority sent to the Lord Chancellor to order him to issue it. This authority as a general rule will be a document under the Privy Seal, but in exceptional cases it will be a document signed personally by the King himself, coming direct to the Chancellor without the intervention of either the Clerk of the Signet or the Privy Seal. In either case it should be available, and as all these copies of the document were preserved in different hands and separate localities, it is certainly unlikely that no single one of them will have survived in any particular case. There should really be yet a fifth place in which we ought to be able to trace it, namely, in the records of the Signet, where we ought to find the original authority which caused the Privy Seal to be affixed. But all the records of the Signet for this particular period were destroyed in a great fire at the Banqueting Hall of Whitehall in 1618.

2. The Archbishop's register should contain the record of the consecration, giving at least the day and place and the name of the bishops who took part in the ceremony. A similar record ought to be found at the commencement of the new bishop's own diocesan register.

3. After the consecration it was customary for the Archbishop to send a certificate by letters patent under his own official seal to the King, announcing that he had duly obeyed the royal commands and that the bishop had accordingly been properly consecrated. This certificate again can ordinarily be

found in two places. It should be in the Archbishop's register, and it should also be either recited in or attached to the Grant of Restitution of Temporalities which was sent in due course to the King's escheators, and was also enrolled upon the Patent Rolls.

4. There should be a licence from the Dean and Chapter of Canterbury allowing the privilege of the consecration taking place outside the Cathedral of Canterbury. No consecration had been held at Canterbury for many centuries, but the Chapter were very tenacious of their ancient rights, and in every case the formal permission was applied for and duly granted. This licence should be found in the register kept by the Chapter of Canterbury.

5. After consecration there follows the restitution by the King of the temporalities of the see. By English law the revenues of any see fell to the King during the vacancy. A bishop could demand restitution as soon as he had been consecrated and had done fealty. This restitution was made by means of Letters Patent under the Great Seal addressed to all concerned. The document was invariably enrolled on the Patent Rolls, and should be found there. It is not, however, quite an infallible proof of consecration, for although the bishop cannot claim his temporalities *of right* until he has been consecrated, it is within the King's power to grant them *of grace* at any time after confirmation. This has hardly ever been done, but they were thus granted to Bishop Bonner as Bishop of Hereford, and there are no doubt other instances on record. In such a case, however, the fact that consecration had not taken place would be clear, because only the

election and confirmation would be recited in the document. Here again the actual document is very unlikely to be extant, but we ought to find the copy on the Patent Rolls, and the original authority for its issue among the Privy Seals.

6. Lastly, there should be a mandate from the Archbishop to the Archdeacon of Canterbury to enthrone the newly consecrated bishop in his own cathedral. This should be found in the Archbishop's register and also in that of the Archdeacon of Canterbury. There should further be a record of the enthronement in the register of the Dean and Chapter of the bishop's own cathedral.

7. Besides these public records there may chance to be some casual mention of the fact of the consecration in some diary or private letter written at the time. Such unpremeditated confirmation would generally be taken as sufficient evidence to prove the fact in default of any more authoritative document. A good instance of what is meant is furnished by the mention of Parker's consecration which is to be found in Machyn's Diary.

Besides these sources from which genuine proof of the fact of consecration having taken place may be derived, there are three others which are often cited by writers on this subject, although they have no actual value at all, as the slightest knowledge of the law is sufficient to show. These are :

1. The possession of a seat in the House of Lords. But the right to sit in the House does not depend, and never has depended, on consecration. It depends on the possession of a Writ of Summons from the King. Any bishop who has received that

writ can take his seat and vote in the House simply by presenting it and proving his identity. He has the right to receive the writ as soon as the election has been confirmed, and consecration has nothing to do with it. The law on the subject may be seen in Phillimore's 'Church Law,' i. 56, or Gibson's 'Codex,' i. 148. Gibson's words are as follows: 'A Bishop Confirmed may sit in Parliament as a Lord thereof. It is laid down by my Lord Coke that a Bishop Elect may so sit, but, in the case of Evans and Ascuith, Jones held clearly that a Bishop cannot be summoned to Parliament before Confirmation, without which the Election is not complete.' At this period, too, when a see was vacant it was customary to summon to the House of Lords the Guardian of the Spiritualities of the see for the time being. This official gave place to the bishop as soon as the latter had been confirmed. Consecration has never had anything to do with the matter. Precedence in the House depends upon the date of consecration, but that is all. They sit there 'according to their auncienties.'

2. The right of sitting and voting in Convocation similarly follows on confirmation. Nothing is given in consecration except the power of order alone—the power, that is, to confirm children and adults and to pass on the Apostolic succession in the Sacrament of Holy Orders. The right of sitting and voting in Synod is a matter of jurisdiction not of order, and so according to the invariable rules of Canon Law it follows on the full appointment to the see, when spiritual jurisdiction is conferred, and for it consecration is not necessary. The English

law follows canonical precedent in the matter, and there are several instances on record of bishops being summoned before consecration.

3. The third matter is one which is less obvious. Champney, a Catholic writer of the seventeenth century, is often quoted, even now, as having said that leases drawn by a bishop before consecration were invalid, and therefore as admitting that since Barlow's leases were not disputed he must necessarily have been duly consecrated. Champney's remark was based on a blunder. He thought Chief Justice Broke had so laid it down, but he was quite in error. The blunder has been corrected again and again ; the law books, if they were referred to, would show that consecration has no connection whatever with leases, but that these depend solely upon the possession of the temporalities, whether granted in freehold by way of restitution, or by a temporary grant of custody.

The whole matter on this point was explained by Archbishop Wake of Canterbury in a letter to le Courayer, and his words may be found printed in that author's 'Dissertation': '*Utinam profecto sic se res habuisset !*' he says. '*Invictissimum id nobis praeberet argumentum pro consecratione Barlovii. . . . At vero plane apparet hanc non fuisse Judicum regni sententiam.*' 'Would that the matter were really so. It would provide us with an invincible argument for the consecration of Barlow. But, as a matter of fact, it is clear that this was not the opinion of the Judges of the Realm.' ¹

¹ le Courayer, *Dissertation*, etc., p. 359 *seq.*, Oxford edition 1844.

Of course it is quite true that in modern practice the restitution of the temporalities is as a rule not made till after consecration, and *so far* it is also true that a lease made by an unconsecrated bishop would generally be void, but in some cases the *custody* of the temporalities has been granted before consecration, and Barlow's is precisely one of these cases. His leases, therefore, were equally valid whether he were consecrated or not, in virtue not of his consecration, or of any grant of restitution, but of the grant of custody of the temporalities for life which was made to him on April 26, 1536, at a time when consecration is proved, by the very fact that such a grant was made, not to have yet taken place.

Leaving, then, these three last out of consideration and confining ourselves solely to the public records, there remain in every case at least thirteen documents, all of which ought to be available, and any one of which would be sufficient by itself to prove the fact of consecration.

- (1) The original authority, Privy Seal or Signed Bill, for the issue of the *Significavit*. This would now be at the Record Office, and formerly at the Privy Seal Office.
- (2) The *Significavit* itself, enrolled upon the Patent Rolls, now at the Record Office, and formerly at the Rolls Chapel.
- (3) The *Significavit*, copied and recited as the authority for confirmation, in the Register at Lambeth.
- (4) The 'Register of Consecration,' in the Register at Lambeth.

- (5) The 'Record of Consecration,' in the Register of the diocese.
- (6) The Archbishop's certificate of consecration sent to the King but also entered in the Register at Lambeth.
- (7) The Archbishop's certificate, appended to or recited in the Deed of Restitution of Temporalities. This is enrolled on the Patent Rolls at the Record Office.
- (8) The Privy Seal authority for the issue of the Grant of Temporalities. This is at the Record Office.
- (9) The Restitution of Temporalities, reciting the fact of consecration. This is enrolled on the Patent Rolls at the Record Office.
- (10) The permission by the Dean and Chapter of Canterbury for consecration to take place outside of Canterbury Cathedral. This is in their Register at Canterbury.
- (11) The authority of the Archbishop to enthrone the new bishop, issued to the Archdeacon of Canterbury and registered in his Register.
- (12) The same authority in the Register at Lambeth.
- (13) The record of the enthronisation in the books of the Dean and Chapter of the diocese.

To these we may add :

- (14) In certain cases, of which Barlow's is one, additional evidence may be afforded by a 'Dispensation of Retainer' or licence to

retain *in commendam* a benefice of which the bishop was possessed beforehand. For since any such benefice would not be voided except by consecration, such a dispensation would be needless had the bishop not been consecrated. These dispensations would be found on the Patent Rolls if granted by the King. Barlow claimed to hold the Priory of Bisham thus *in commendam*.

- (15) Lastly, evidence may be available from some other contemporary document which mentions the fact of the consecration having taken place.

From this list it is clear that it is by no means a matter of the loss of one single document. The age of Henry VIII was one when the duty of making careful records was thoroughly understood, and for the most part, except when wilful mutilation has taken place at a later date, the records are in perfect order. It would be a matter of considerable research to ascertain exactly from how many of these sources we can prove the consecration of each of the bishops of the period, but probably in no case will less than nine or ten of the proofs be forthcoming. In Goodrich's case, the first of the new bishops after the breach with Rome, which is the only one we have personally investigated, twelve of the thirteen regular documents are extant. The only one missing is the licence of the Archdeacon of Canterbury, whose register has suffered a mutilation just at this place, which mutilation also includes the entry for Barlow, if it was ever there.

Now, how does it stand with Bishop Barlow?

It seems hardly credible, but in every one of these possible sources the effort to recover the document meets with failure. Every step of his history is in order and can be proved by documentary evidence, until we come to the crucial moment. We know all about his election, the Royal Assent to his election, the confirmation of the election by Archbishop Cranmer. But there the series stops short. For anything further we have neither Privy Seal nor enrolment on the Patent Rolls. The State records are as silent as the ecclesiastical, nor is there any chance mention of the fact in any contemporary authority to supply the gap. So far as external evidence is concerned, the effort to prove the consecration of Bishop Barlow completely breaks down. It is a very remarkable circumstance, quite inexplicable if the consecration ever really took place, and absolutely unparalleled in the case of any other bishop of the period, or indeed since careful records of such matters in England first began.

CHAPTER III

THE ROYAL SUPREMACY IN ACTION

THE royal supremacy over the Church of England has in these latter days been exercised with such moderation, even in those details in which it has not rather passed insensibly into a supremacy of the House of Commons and of the Prime Minister, that few except professed historians realise all that it meant in its early days under the Tudor sovereign, or even all that it is legally capable of meaning, under changed conditions, at the present moment. As the present inquiry is concerned with what seems to have been a tentative though largely ineffectual effort to press the supremacy farther than it ever was pressed at any other time, it will be well to examine briefly what it was that was intended by the phrase in the minds of its authors, and how far it was actually put into action in the reigns of Henry VIII and Edward VI.

It was Thomas Cromwell, as has already been said, to whom belonged the credit of the idea of thus enslaving the Church of England and bringing it into complete subjection to the royal authority. Not, of course, that the idea was an original one by any means—it is as old as the relations themselves

between Church and State—and it was everywhere very active just at this period in Protestant Germany. But Cromwell it was who conceived the idea of imitating the German practice in England, who first persuaded the King that this was a desirable object to aim at, and one likely to enable him to obtain his desires in other matters, and who showed the King how it might best be carried into effect.

The object of attack was not at first the papal jurisdiction, but the local liberties of the Church of England itself. The papal jurisdiction fell indeed in the course of the struggle, but it fell because it stood in the way of the enslaving of the local Church, not because it seemed to Henry a thing in itself calling for destruction. His primary object was to assert within his own kingdom his own supremacy in matters of spiritual jurisdiction no less than in temporal. His predecessors had asserted their power to do the like on many occasions, but the assertion had been ineffectual because Rome stood in the way, and would not let assertion pass into practical action. Now once more it became clear that the liberties of the Church could not be broken while Rome and the successor of St. Peter were able to make resistance. Henry did what his predecessors had shrunk from doing. He did away with the authority of St. Peter within his realm. When once he had succeeded in this, he found the local Church entirely at his mercy. He had his will and enslaved her to the utmost, and the Church of England found, as every merely national Church has found before her, as every such Church always will find as long as the world lasts, that the only

security the Church has against the encroachments of the civil power in any individual country lies in the power and force that is derived from union with the Universal Church of Christ. None can make any effectual resistance except those who live under the rule of the Apostolic See, to which the privileges of St. Peter and the guardianship of unity have been committed by the hands of her Founder. What the King had to do was to devise a line of argument by which, without open and immediate breach with the Holy See, he might get the powers inherent in the Pope transferred to some local body under his own control. To transfer those powers nakedly to the civil power, as had been done often under Luther's influence in Germany, was too violent a course to satisfy England at that juncture, when as yet Lutheran opinions had made but little way among the peoples. Some other and less manifestly anti-Catholic a course must be selected if the people were to be fooled into accepting it.

Such a course Henry discovered in the consideration that in ancient times the Roman emperors had taken a great, nay, a commanding part in the government of the Church. What Constantine and his successors had done then, why should not he himself do now? If in them it was no intolerable invasion of ecclesiastical rights or apostolic authority, why should it be so in him? Was not England an empire as well as Rome, or at all events could it not be declared so? Or, again, why was it necessary to go either so far back or so far afield as to Rome in the fourth century? Was it not admitted that in this island in Saxon days the kings, Catholic as they

were beyond all others, had yet taken a great share with the bishops in governing the Church, sometimes without its being clearly defined how much was due to their own royal power and how much to the authority inherent in the episcopal office? What had been done then, and perhaps a little more, could be done now. Who should dare to say it was against the constitution of the Catholic Church, if the King should take once more into his own hands what he asserted to belong of right to the office which he held, and should revoke again the permissions which had only been granted by his predecessors to the bishops in terms which had always asserted the paramount authority of the Crown?

Some such considerations as these seem to have inspired the course which was taken by Henry and laid down in the Act 24 Henry VIII, cap. 12. It was decreed that 'this realm of England is an Empire and so hath been accepted in the world'—that 'the body Spiritual thereof . . . now being usually called the English Church . . . is sufficient and meet of itself, without the intermeddling of any exterior person, or persons, to declare and determine all such doubts and to administer all such offices and duties as to their rooms spiritual doth appertain.' The principle laid down is that not only the Roman Empire but every empire is self-contained, and that emperor and clergy acting together can resolve every doubt and settle every question within the bounds of the empire. The exact relations of emperor and clergy and the part which each of them is to play are not as yet clearly defined, but Henry had no doubts on that score. He had the clergy

safe in the penalties of *praemunire*, and he had no intention of letting them free until they had acceded in full to everything that he required.

Never in all history has there been a grosser case of tyranny under the shadow of law than was involved in this abuse of the Statute of *Praemunire*. The clergy were accused of having rendered themselves liable to its penalties by accepting the legatine authority of Cardinal Wolsey. If they had done so, so also had the laity. The most guilty of all had been Henry himself, since that authority had only been exercised under Letters Patent from the King. If justice had been the object, the clergy could only have been acquitted. But, as they knew, justice was the last thing they would get from either the King's lawyers or the King himself. Had they pleaded their cause it would infallibly have been given against them, for it was no defence to urge that others had done the same, and the King himself, of course, was above the law. They would have lost their case, have been declared outside of the King's protection, and their lives and property would have been at the mercy of the King himself or of any of his subjects. They were caught in a trap and they knew their weakness in face of the royal tyranny. They did not even attempt a defence, but offered to buy themselves off and to make amends for the offence they had committed by an immense money penalty which should swell the King's treasury and thus avert his anger from themselves.

But Henry, although he never despised money, was on this occasion after a yet larger prize. He made it clear that no mere money payment would

satisfy him, but that submission must be made also on other points. These points were five in number; but it is only the first two with which we are now concerned. The first required them to admit the King to be the only Protector and Supreme Head of the Church of England. The second defined that the cure of souls was committed to his hands. Against these two the clergy fought to the utmost of their power. After three sessions spent in useless discussions they at last obtained leave to add the words 'after God,' and 'so far as the law of Christ permits' to the bald declaration of the royal supremacy as it had first come before them. After all, as Henry probably said to himself, the added clauses, however much they may have satisfied the consciences of those who agreed to them, are of no practical importance in limiting the authority thus admitted to exist. The main point was yielded when once the supremacy of the Crown in spiritual matters was in any sense agreed to.

The restriction voted by Convocation had little force when it came to practical matters. Nothing could be more explicit than the words used in subsequent Acts of Parliament. Take, for instance, the wording of 37 Henry VIII, cap. 13. 'Whereas the royal majesty is justly supreme head in earth of the Church of England, and hath full authority to correct and punish all manner of heresies, schisms, errors, vices, and to exercise all other manner of jurisdictions, commonly called ecclesiastical jurisdiction.' It is also added that 'the archbishops and bishops have no manner of jurisdiction ecclesiastical, but by, under and from the royal majesty.' If the claim was granted

with such fullness without any dissent, Henry could well afford to let the clergy salve their consciences by inserting harmless words which had, after all, no sort of practical force.

The first action taken under these powers of supremacy was the appointment of a vicar-general. Henry thoroughly realised the value to any ruler of a subordinate who could be made responsible for all that went wrong, while the credit of all that succeeded still went to the King himself. Cromwell, as vicar-general, was to 'exercise all and every jurisdiction, authority and rightful power' inherent in the Supreme Head himself. He was to visit and correct, himself or by commission, every religious house in the kingdom. He sat in convocation, layman as he was, above the Archbishop of Canterbury and all the prelates, as being the representative of the Supreme Head of whom bishops and abbots were the mere delegates, allowed to meet only at his royal will and to transact only such business as he was graciously inclined to permit.

The powers thus exercised in spiritual matters were alleged by Henry to be those only which were inherent in the Crown and had been used before his time by other Christian princes. They were, as a matter of fact, precisely those which had been reserved for centuries, by the common judgment of all Christians, at least in the Western Church, to the successor of St. Peter. He was to be supreme, as the Pope had hitherto been, (1) in all causes spiritual and ecclesiastical, as well as temporal; (2) in all Councils or Convocations of the Church, which were not to meet without his sanction, and whose

deliberations were to be wholly ineffective without his confirmation ; and (3) in all appointments to the higher dignities of the Church. If the right of the Chapter, in the case of the old sees, to elect its own bishop was preserved in form, it was rendered nugatory by the Letters Missive which named the person they were bound to elect under the strongest penalties. If, again, the right of the Archbishop to confirm the election was retained in form, this too became a mere solemn farce, as no power was allowed to him to refuse his confirmation. Bishoprics became, as they still legally remain, practically absolute donatives in the hands of the King. As in law and in the councils of the Church, so also in the appointment of her officials the whole power formerly exercised by the Pope passed unquestioned into the royal hands.

But Henry was by no means content only to possess the right of nomination of the bishops and the control of their collective actions. Supremacy in his mind meant more than that. He would have the acknowledgment from each and every one of them that every single one of his episcopal actions was done by the sole authority of the King, and that he held his office itself only at the King's pleasure. Accordingly every bishop, from Cranmer himself down, was made in October 1535 to take out a commission to this effect.¹ These commissions from the Crown begin by reciting the fact that all jurisdiction in the Church of England, ecclesiastical as well as secular, flowed from the royal power, was received from the royal munificence, and

¹ One of these commissions, from Bonner's Register as Bishop of London, is printed by Burnet, *Reformation*, iv. 410, Pocock's edition.

must be resigned thereto at any time should the King's majesty so decide. They go through all the various parts of the episcopal function—ordination, collation to benefices, the administration of justice in the ecclesiastical courts and so forth,—and grant the royal licence and permission to carry them out. All this was given, not under the Great or even the Privy Seal, but under a new seal reserved for such ecclesiastical acts done in virtue of the royal supremacy over the Church.

These commissions were issued to and accepted by every bishop who held office in October 1535. All through Henry's reign, whenever a new bishop was appointed to an old see, a licence of this kind was issued to him. When Henry died and Edward succeeded to the throne, all these commissions, being personal to the individual Supreme Head, were held to have lapsed by his death, and new documents of exactly similar tenor were issued in their place. Only to the bishops of the new sees under Henry, and to those bishops who were appointed under the new law of Edward VI, it seems that no such licences were given, as it was held that their complete dependence on the Crown was sufficiently clearly set forth in the Letters Patent by which they were appointed, without any ecclesiastical election of any kind.

In the case of the old sees, as has been already said, a nominal election was made by the Chapter, followed by an equally nominal confirmation by the Archbishop, and by these empty ceremonies the real truth, viz., that the King's own appointment was the only determinant factor, was masked and hidden from view. But in the case of the new sees which Henry himself

founded, and where there was no Chapter with a right of election, Henry himself appointed by Letters Patent, in virtue of an Act of Parliament passed in 1539 (31 Henry VIII, cap. 9). The accustomed procedure was that he should do everything in a single issue of Letters Patent. As a specimen of these we may take those for the erection of the new see of Chester in 1541, which is printed in Rymer's collection.¹ It begins by erecting the new see in the precincts of the old monastery; makes the old monastery church to be the Cathedral Church of Christ and the Blessed Virgin Mary; erects the town of Chester into a city; transfers the then Bishop of Bangor, John Bird, to be bishop of the new see, so that 'solely by virtue of this translation he shall be henceforth held and is Bishop of Chester,' gives to him authority to 'exercise all Pontifical offices and Episcopal jurisdiction' within the boundaries of the see which it then proceeds to define; transfers the Archdeaconry of Richmond from the jurisdiction of the Archbishop of York to that of Canterbury, and generally settles and defines, purely by the royal authority, all matters relating to the jurisdiction of the new bishop. As the Church had no hand whatever, even apparently, in his appointment or in giving him his jurisdiction, it was clearly unnecessary that a further commission, declaring these to be solely from the Crown, should be accepted by him.

As long as Henry VIII was on the throne it was only in the case of new sees and suffragan bishops that appointment by simple Letters Patent was

¹ Rymer, T., *Fœdera*, xiv. 717.

resorted to. But under Edward VI this novel procedure was extended to every bishopric in England and Wales by the Act Edw. VI, cap 2. This Act speaks the plain truth as to the useless pretence of election and confirmation which went on then, as at the present day, in episcopal appointments. 'Whereas,' it says, 'the said elections be in very deed no elections, but only by a Writ of Congé d'élire have colour, shadows or pretences of election, serving nevertheless to no purpose and seeming also derogatory and prejudicial to the King's prerogative Royal, to whom only appertaineth the collation and gift of all Archbishoprics and Bishoprics and Suffragan Bishops within His Highness' realm . . . be it enacted . . . That from henceforth no such Congé d'élire be granted nor election of any Archbishop or Bishop by the Dean and Chapter made. But that the King may by his Letters Patent at all times when any Archbishopric or Bishopric be void, confer the same to any person whom the King shall think meet. . . . And that the said person upon whom the Archbishopric or Bishopric or Suffraganship is so conferred, collated or given may be consecrated and sue his Livery or "outer lemayne" and do other things as well as if the said Ceremonies and elections had been done or made.'

As a matter of fact, however, no bishop appointed under this Act of Edward VI had any need thus to sue for his temporalities, for, as a glance at the Letters Patent appointing them, several of which are printed in Rymer's collection, will at once show, the temporalities are given by the same Letters Patent which appoint them to the bishopric. The phraseology is very much that of Henry's Letters Patent for new sees,

but is even more explicitly Erastian. In the first place the King, by virtue of the Act which is duly recited, 'of his certain knowledge and mere motion,' 'confers gives and concedes' to the selected person, 'the said Episcopate of ———' and 'names, makes, ordains, creates, declares and constitutes him Bishop of ———'; 'to have, hold, occupy and enjoy the said Bishopric, during his natural life, *si tamdiu se bene gesserit in eodem*, (if he so long has been of good behaviour), with all the Manors belonging thereto.' The document then goes on to give the new bishop authority to ordain and do all other episcopal acts, in much the same way as the licences which had usually been issued to the other bishops, and ends by making a grant for life of all the temporal possessions of the see.

The result of this procedure was very much to simplify the complicated method of making a bishop which had till then been in vogue. It reduced the necessary documents to two only, the concession of the bishopric with its rights and possessions, which has just been summarised, and the *Significavit*, or order to the Archbishop to consecrate the person to whom this concession had been made. With the exception of the clause printed in italics it was not really more Erastian than the other and still customary procedure, but it brushed aside and abolished all the various links with the past which then concealed, as they still do, the essential Erastianism of the whole procedure. It was, however, employed only for a very few years, for the Act was rejected under Mary and was not revived under Elizabeth.

The clause limiting the tenure of the bishopric to

the continuance in good behaviour of its occupant was used under Mary to save the necessity of more formal deprivation. As these bishops held their bishoprics thus admittedly at the royal pleasure, they were deprived without formal trial. No such clause has ever reappeared in any appointment to an English see. But although she had no longer this justification, Elizabeth followed Mary's example and deprived bishops at her will without trial.

By these Acts and documents the theory of the royal supremacy as held by Henry VIII and Edward VI, and in the main also by Elizabeth and all succeeding monarchs, becomes simple enough. To understand it thoroughly it is necessary to remember, what every lawyer and indeed every educated layman in those days recognised clearly, the essential difference which exists in the episcopal office between the powers of order and jurisdiction.

The power of order is the power of conferring grace through the sacraments and of carrying on the ministry through ordination. The power of jurisdiction is the power to govern the Church and to exercise the power of order within her borders.

The Catholic doctrine was, and is, that both these powers are originally from Christ alone, and can only be lawfully exercised by the Church through those to whom she grants them. The extreme Erastians assigned both to the civil power, and the Lutherans to a great extent taught the same. Henry VIII, in his dealings with the Church of England, made a compromise. On the one hand the King made no claim whatever to the power of order. He did not claim to be able himself to consecrate the Eucharist nor to

ordain clergy. If he did on one occasion claim to make a bishop, as we are contending in this book, it was because he held that there was no essential difference between priests and bishops, but that the power of the episcopate was latent in every priest. On the other hand he claimed the power of jurisdiction in all its fullness. He asserted that the whole government of the Church in its every smallest detail belonged to him. In matters ecclesiastical he was to be master even more than he was in civil affairs. All jurisdiction in the Church flowed from him and could be exercised only by his permission. Although as a general rule he was graciously pleased to act through the archbishops or the bishops, he was in no way bound to do so, and could act in person or through lay vicars-general or other delegates if he chose to do so. That in Henry's view and in the view of his Parliament was what was meant by the royal supremacy over the Church. Added to all the powers which had been possessed by any previous monarch, he was to hold and to exercise all the powers, without exception, which had ever been claimed or exercised by the Popes at Rome in their capacity as successors of St. Peter. Even the right of defining doctrines to be held and taught in his dominions was seized and exercised, and though he stopped short of claiming infallibility for his teaching, he did not shrink from enforcing it with all the powers of the secular law, even to the infliction of the death penalty itself.

CHAPTER IV

BISHOP BARLOW'S OWN DOCUMENTS

WE saw in Chapter II that all the documents by which the consecration of Barlow could possibly be proved are, by a singular fatality if ever they existed, now unable to be found. It is almost inconceivable that fourteen separate documents, some belonging to the State and others to the Church, in the custody of at least eight different functionaries in localities widely separated, can possibly have disappeared by mere accident or carelessness if ever they existed at all. Thus we are led with practical certainty to say that they never did exist, and consequently that the consecration never can have taken place. But still our evidence is purely negative. We feel that negative evidence is never, by itself, really absolutely conclusive, and we naturally go on to ask whether there is not in existence some sort of positive evidence which tends in the same direction. It does not need a very great amount of positive evidence to put the matter beyond a doubt, when the negative evidence is already so overwhelmingly strong. So, accordingly, we go on to examine with special care the documents which have come down to us in connection with his case, all of which, it will be remembered, have to do with the

events which precede consecration. To do this with effect we must first know exactly what documents we ought to look for in an appointment to a bishopric at this particular period. They are those ordered by the Act 25 Henry VIII, cap. 20, which laid down once and for all the procedure to be followed in these matters.¹

This procedure has remained in force down to the present time, except for one brief period under Edward VI, when bishops were appointed solely by Letters Patent, and another under Mary, when the method of appointment by Papal Bull was reintroduced, and this simplifies our inquiry very materially. The only really important change since introduced is that the document known as the Royal Assent, which was traditional from old times, and which continued to be issued all through the reign of Henry VIII, although it was practically included in the *Significavit* which was also issued, now no longer exists. In Elizabeth's time and ever since it has been discontinued as being useless and redundant, except in the case of translation, when of course there is no *Significavit* needed, and it takes the place of that document. But under Henry VIII its issue in the procedure for new bishops had in some cases a practical meaning, and it was not entirely useless, as we shall presently see.

The documents, then, which were issued prior to consecration in the reign of Henry VIII, were in ordinary cases three ; all of them under the Great Seal and all consequently enrolled upon the Patent Rolls. They were :

¹ Printed in Appendix, *infra* p. 174.

1. The *Congé d'élire*, or permission to the Dean and Chapter to elect a bishop. With this was sent the Letters Missive naming the person whom they were to elect under grave penalties. This latter document was not under the Great Seal or even the Privy Seal, but only under the Privy Signet.

2. The *Royal Assent*, a notification to the Archbishop that the King assented to the election of his own nominee, and requesting, not commanding, the Archbishop to do 'that which belonged to his office in the matter.' This was not a new document, but the old traditional one issued for centuries before in similar cases, especially for the confirmation of the election of abbots who were Lords of Parliament, and its effect in Henry's reign, when it was issued alone and not as it usually was in conjunction with the *Significavit*, was to cause the Archbishop to confirm the election, but to do nothing more. As far as the wording is concerned, it might easily have been made to cover consecration also, where consecration was needed, but it never had done so in the past (since the State in those days had no responsibility for the consecration, a bishop being fully made for State purposes by the confirmation of his election or by papal provision), and so it was not held to do so now. It was always thus issued alone without the *Significavit* in cases of translations, and was also issued alone for new bishops, exceptionally, four times in Henry's reign, in the case of Shaxton, for both Barlow's bishoprics, and for Bonner when elected to Hereford. In each case the same effect followed, the Archbishop confirmed the election and sent a certificate to the King to say he had done so, showing that all the King

had asked had been finished. In all other cases the Archbishop does not send the certificate until the consecration is complete, nor does he in any case proceed to consecration until the *Significavit* has been issued. The case of Shaxton is the best to take as an illustration. The Royal Assent was issued by itself, without *Significavit*, on March 5, and accordingly Cranmer confirms the election and sends his certificate to the King. This was on March 18, 1534-5. Then the *Significavit* was issued on March 22, and Cranmer proceeds on April 11 to perform the consecration, and sends a *second* certificate to the King to say he has done so. The whole is recorded in Cranmer's register, and it makes very clear the exact force and value which was held to belong to each of these documents at that time. The Royal Assent thus issued alone meant that the election was to be confirmed at once, but that consecration was for some reason or other to be deferred.

3. The *Significavit*. This was a new document, rendered necessary by the Act 25 Henry VIII. It began by repeating the Assent already given in the previous document, and then went on to *command*—not now to request—to command the Archbishop to confirm, consecrate and invest the bishop-elect. If the Archbishop failed to comply within twenty days he ran the risk of the penalties of *praemunire*. Accordingly, in every case where the *Significavit* can be shown to have been issued, we may assume that consecration is sure to have followed in due course.

These documents were all issued under the Great Seal. Before the Lord Chancellor could affix the Great Seal he required authority to do so. The rules

as to this authority had just been changed before Barlow's election to his first bishopric, by the Act 27 Henry VIII. Up to that time the authority for each document had been given in all matters affecting bishops by a separate written authorisation signed by the King in person and stating the exact words which the document was to contain. But just before Barlow's time the new procedure came into force which still governs the matter, subject only to certain simplifications. There were now two ways in which authorisation could be given. In all ordinary cases—the exceptions are exceedingly few—the procedure followed a fixed and rather complicated course, the whole of which was a mere matter of routine. The complicated nature of the process was due to the conflicts between the King and his advisers in the fourteenth century, and was designed to ensure that, besides the Lord Chancellor, at least one other great officer of State, the Lord Privy Seal, should be a party to the affixing of the Great Seal. The whole system is set out in the Act 27 Henry VIII, cap. 11, and is briefly recounted in Anson's 'Law and Custom of the Constitution,' ii. 56 (third ed.). There was needed in the first place a warrant signed by the King and countersigned by the Secretary of State, addressed to the Attorney or Solicitor-General, and bidding him prepare the Bill. This Bill, when prepared and signed by the Attorney-General, was taken to the Secretary of State, and received the King's signature. It next went to the Signet Office and was there deposited. An attested transcript of it, sealed with the Signet, was next taken to the Office of the Lord Privy Seal, within eight days, and the Lord Privy Seal was thereby

bidden to direct the Chancellor to make the Letters Patent in the prescribed form. This again was deposited at the Privy Seal Office. A new attested transcript was made and sealed with the Privy Seal. It was taken to the Crown Office or Patent Office and there engrossed. The Privy Seal and this engrossment then went on to the Lord Chancellor, who, if he saw no objection, wrote his name under the grant and the Great Seal was then affixed.¹

This was the ordinary procedure, but in any particular case the King could if he wished, as he still can, shorten the procedure by means of a 'Signed Bill.' This would go direct to the Lord Chancellor without going through either the Signet Office or the Privy Seal. But the whole routine of appointing a bishop could not be thus initiated. The 'Signed Bill' or 'Immediate Warrant' was, and is, authority for the one document appended to it and for nothing else.²

Now we are in a position to examine Barlow's documents, for we know what we ought to find. To begin with those for St. Asaph. The *Congé d'élire* is in the usual form and presents nothing of interest to us. The Royal Assent is given by Privy Seal, the first instance, as it seems, of the use of the new procedure. Barlow is described in it, quite correctly, as 'William Barlow, prior of the house or priory of Bisham.' There is no issue, as we should have expected there would be in the ordinary routine, of a

¹ See also Nicolas, Sir N. H., *Ordinances of the Privy Council*, vi. cxl-ccxix.

² See Sir W. Anson and Sir N. H. Nicolas, as above.

Significavit. No doubt it is only because Barlow is away in Scotland. Had the *Significavit* been issued a difficult situation would have been created, as consecration would be due to follow within twenty days. So the document for the Royal Assent and no other was issued to Cranmer. The effect of that would be, as we have already explained, to authorise Cranmer to confirm the election, but not to do anything beyond that. Accordingly Cranmer, on receiving this document, proceeds to the confirmation, Barlow being represented at it not personally but only by proxy, and having done this he sends his certificate to the King. He had done all that was asked of him and all that he was authorised to do. Sooner or later, on Barlow's return to London, we should expect that the *Significavit* would be issued in its turn, and that consecration would then follow just as it did in the case of Shaxton. So far our documents show indeed that consecration did not follow immediately on confirmation to St. Asaph, and was not expected to take place for some little time, but they show nothing more.

Almost immediately, while he is still unconsecrated, there follows his appointment to St. David's. If we are right so far in our deductions, we shall expect to find him described in the documents as *Bishop-elect* of St. Asaph. That would have been his proper title as confirmed but not consecrated, but the documents are not uniform in the matter. All the documents for his successor, Bishop Wharton, at St. Asaph describe the see as being vacant through the *free transmutation* (an unusual expression, used as far as is known in no other previous documents whatever and seemingly coined to express the very exceptional fact that

it was the case of a bishop being transferred to another see before he had yet been consecrated) of the late Bishop-elect, William Barlow. We find this repeated five times, in the *Congé d'élire*, the Royal Assent, the *Significavit*, the record of confirmation, and the Restitution of Temporalities. Moreover, we find Barlow himself still signing his letters simply as William Barlow in March 1536.¹ It is therefore certain that he was never consecrated to St. Asaph, and on this hypothesis everything is in order.

We turn to the documents issued for his appointment to St. David's and we find an apparent contradiction. In these he is uniformly described as *tunc episcopus Asaphensis*, there is no mention of his being merely bishop-elect, but the full title is given to him just as if he had been consecrated. The case is the more remarkable because here the King has intervened personally to take the matter out of the ordinary routine procedure and into his own hands. For the authority is by 'Signed Bill' and not the usual 'Privy Seal.' The wording, therefore, is ordered by Henry himself in person under his own autograph signature. This second bishopric of Barlow seems to be the only instance in which the royal authority has thus intervened ever since the Act settling the procedure was passed in 27 Henry VIII, so the matter is even more remarkable than it seems at first sight.

Why did Henry deliberately order this difference between the documents for the two sees? Is it possible to give any reason except the obvious one that

¹ *State Papers, Scotland*, v. 36.

it was designed to lead the Chapter of St. David's to believe that this was an ordinary case of translation of a bishop already consecrated, while at St. Asaph, where the contrary would be known to be the fact, the documents are drawn in the usual form? It is quite true that in the parallel case of Bishop Bonner a year or two later the same distinction occurs between the documents for the two sees, he, too, being described as *Bishop-elect* in the documents for his successor at Hereford, and as *Bishop* in those for his own appointment to London, but that is a case of an official draughtsman carefully following a precedent set only a year or two before by royal authority. Clearly there is all the difference in the world between a clerk following a precedent already in existence and a king thus intervening to create the precedent in question, and this latter cannot have happened without some very definite reason. Before Barlow no precedent can have occurred, so his case does really create the precedent in question.

There is a further point to be considered before we leave this 'Royal Assent.' Henry was not content with ordering Barlow to be described in it as full Bishop of St. Asaph rather than only Bishop-elect, but he must carry his lie farther. He goes on to describe Barlow as 'Perpetual Prior Commendatory of Bisham.' The force of this description has never hitherto been pointed out. It is a direct assertion that Barlow had been consecrated as Bishop of St. Asaph, which was certainly untrue. Benefices *in commendam* have ceased to exist so long in England that the law about them has been forgotten, but it will be found set out with accuracy and fullness by

Gibson.¹ A *Commendam retinere* such as this would have been was only needed by a bishop after consecration. For up to the moment of his consecration his right to his earlier benefice was unchanged. He only became commendatory *after* consecration, if he had been granted leave before that ceremony took place to retain the earlier benefice which would otherwise have been voided *ipso facto* by the consecration.

To style a bishop, as Henry here styles Barlow, also commendatory of another benefice is to make the definite assertion that consecration had taken place and that a licence to continue holding the earlier benefice *in commendam* had been granted. Of course, it need hardly be said, there is no trace whatever in the Patent Rolls or anywhere else of such a licence having been issued. But the use of the phrase in this document leaves no doubt whatever of Henry's intention to mislead. A *Commendam retinere* would leave Barlow in full possession of his rights as prior² and still able to resign the priory into the King's hands, which in fact he did that same year.

The 'Signed Bill,' as we have said, was an authority only for the issue of the one document attached to it. It did not initiate or set in motion any routine procedure. Accordingly, since the document appended was only that known as the *Royal Assent*,

¹ *Codex* ii. 913. Or with even greater fullness and accuracy by Godolphin, *Repertorium Canonicum*, pp. 230-241, edition 1680.

² Gibson, Bishop, *Codex* ii. 914. A *Commendam retinere* simply prevents the voidance of a benefice and therefore leaves rights intact. On the other hand a *Commendam capere* does not create a true incumbency, but only a beneficiary. It is worth while, perhaps, to notice that the creation of a *perpetual* Commendam was specially reserved to the Pope by the Council of Lyons in 1274.

there was no issue of the *Significavit*, as there would normally have been had the ordinary procedure been followed. Cranmer had authority, therefore, only for the confirmation, he was not authorised to go on to consecration. Accordingly, he acts in this second case exactly as he did in the two similar cases of Shaxton and of Barlow's first see. He confirms the election made by the Dean and Chapter, and then sends his certificate to the King as having completed his task and done all that he was required to do. But this time Barlow was present and was confirmed in person, not as he had been in the former case by proxy. In that instance it was easy enough to assign a reason for the deferring of the consecration, for if Barlow was away in Scotland he obviously could not be consecrated in London until his return, but in this case it is not easy to understand why the matter should not have gone forward in the usual routine. If he could appear in person at the confirmation on the Friday, what hindered him from being consecrated on the following Sunday? It is not easy to suggest a reason, but there can be no doubt as to the fact. The consecration did not take place on the following Sunday, in spite of Barlow's presence in London. No *Significavit* was issued and no intention was manifested of holding a consecration at any time in the immediate future. The usual procedure had been cut short at the confirmation by the personal act of the King in issuing his 'Signed Bill,' though what his motive was in so acting there is, so far, nothing to show.

The next document is Cranmer's certificate to the King to say that he has carried out the confirmation of the election. This may be found in his register,

and follows the usual form. The only point of interest for us is that Cranmer follows the King's lead and describes Barlow as 'lately Bishop of St. Asaph and perpetual Commendatory of Bisham.' That is to say, the form of the certificate is that for an ordinary translation of a bishop already consecrated, not that for a new appointment of one whose consecration is deferred for a time.

This certificate bears the date April 22, 1536 ; and it closes with a petition to the King that he will now do 'that which belongs to his Royal prerogative' in the matter. The phrase occurs in other similar certificates of the period, as for instance in the case of Shaxton, and, suggestive as it sounds in this special instance, one cannot build much upon it. It was only a matter of form and need not have meant anything very definite. In the other cases in which it was used it was mere formality and met with no response. But in this case Henry did respond to the invitation. Four days later there was issued from the Chancery by Letters Patent under the Great Seal a very remarkable document, which will require our very careful attention and will repay a very minute examination. Before, however, we go on to make this investigation it will be well to know something of the nature of the corresponding documents which were issued at that period, and still are, to bishops on their appointment to their see. It is a grant of Custody of the Temporalities issued before consecration, as occurred also in several other instances of the period.

It has already been explained that on a vacancy occurring in any see, the temporalities of the see—that is, its lands and other possessions—immediately came

into the King's hands. He had the 'custody' of them so long as the vacancy lasted, and the profits accruing belonged to him. Ordinarily they had to be 'restored' of right to the bishop on his own request, when the vacancy had fully come to an end by his consecration. Sometimes, but rarely, they were 'restored' earlier if the King so chose, after confirmation but before consecration.¹ When once they had been so 'restored' the bishop held them in freehold so long as he remained bishop of the diocese. If he died, or was translated to another bishopric, or resigned, the temporalities forthwith came once more to the King, and the profits during the vacancy again belonged to him.

These 'Grants of Restitution' therefore were not, strictly speaking, 'grants' at all. They take the form of a notice, under the Great Seal, sent to the King's escheators and other officials to the effect that the vacancy of the see had come to an end, and that, therefore, they had nothing further to do but to hand everything over to the new bishop, to whom all now belonged in freehold.

But it was within the power of the King to deal as he pleased with any profits or privileges which were available during the vacancy. He could apply them to his own use, or, if he so pleased, he could assign these rights to another. Grants of this kind, which are real grants, given solely of the King's good will, are called 'Grants of Custody.' They run in the ordinary form of all such grants, *Rex, Omnibus ad quos, etc. Salutem. Sciatis quod, etc.*, and are given under the Great Seal.

¹ Godolphin, *Repertorium Canonicum*, p. 28.

Such ' Grants of Custody ' are of two kinds :

1. Retrospective. This is the case where the King desires to hand over to a bishop the profits, etc., which have accrued during the vacancy. Nowadays it is done as a matter of course, but in Henry's time it was rare. Cranmer had a grant of this kind which may be read in Rymer, *Fœdera* xiv. 457.

2. Prospective. When for any reason it was foreseen that there would be a long vacancy, the King sometimes made a grant of the profits and rights of the vacant bishopric to some person, generally the bishop nominated but not yet elected, to hold as custodian. Such a grant was necessarily temporary, given generally for the time for which the temporalities remained in the King's power, i.e. until the vacancy should be concluded by the consecration of a new bishop. If it should be drawn for a long period, and of this there is no example except this grant of Barlow's, it would necessarily be rendered void by any such consecration, for the temporalities would then belong to the new bishop *ipso facto*, and not be any longer in the King's power to grant. *Nemo dat quod non habet*. No one can grant away what he does not hold.

Now this grant to Barlow of April 26, 1536, is a grant of this last kind—a Grant of Custody during the vacancy of the see. It is therefore an absolute proof that Barlow was still unconsecrated on that date. Had he then been already consecrated the grant would have been void and useless, for the temporalities would have been his own in freehold already, and he needed only to demand restitution. It is a Grant of Custody made to a bishop elect and confirmed, on account of the

vacancy of the see, which continued till consecration. Normally it would run only for two or three weeks at most, then be succeeded by the usual 'Restitution.' One would have expected a simple Restitution to avoid this complication.¹ This was the procedure in the parallel case of Bishop Bonner in 1539. Evidently in this case of Barlow a long vacancy was expected, and as we look further into the document we see that it is so. The Custody is given not as usual 'as long as the see is vacant,' but *for his whole lifetime*, '*durante vita sua.*'

The point is so important that we must stop to emphasise it. Here we have a grant which in its nature is of a temporary character—a grant of 'Custody' and not of 'Restitution.' Such a grant would be voided and come to an end *ipso facto* the moment Barlow was consecrated. Yet it is made to extend to the whole of his life. What other conclusion is possible than that it was not in contemplation that he should be consecrated, at any rate for some time to come, and that it was even possible that he might continue unconsecrated for the whole of his life? If he chose so to remain he would nevertheless have the enjoyment of the temporalities of his see all through the time. The only difference would be that he would hold them by the favour of the King, to whom they really belonged owing to the continued vacancy of the see, and not in freehold, as being the

¹ The case is unique. There is no other instance known of a mere Grant of Custody issued to a bishop already confirmed, obviously because normally it would be futile to do so, as the same object could be attained more simply by the King's granting Restitution, of grace, in the usual form.

possessions of the diocese of which he was fully bishop.¹

The next point to consider is Barlow's own description. He is no longer 'Bishop of St. David's and perpetual prior commendatory of Bisham' as he was in the documents issued only a week or so before under the Great Seal and the Seal of the Archbishop of Canterbury respectively. He is back once more in the old position, and is only 'our beloved and faithful William Barlow, prior of the Monastery or Priory of the Holy Trinity at "Bostleham Mountague" of the Order of St. Augustine.' Of course it would have been impossible to style him commendatory prior in *this* document. It is a document which could only be issued to one who had not yet been consecrated as bishop. And no man could possibly be a Commendatory prior who had not already been so consecrated. So he had of necessity to go back to his true status again. But one could not ask for a clearer proof of bad faith than this, that he should be described falsely on April 20, by Henry's own express order, in a formal document issued under the Great Seal, as Commendatory when no Commendam had been issued or indeed needed, and again, truly, on April 26, in another document of similar authority, as prior under the ordinary circumstances, with no mention of any Commendam at all, and in a context which precludes

¹ The grants to the bishops appointed under Edward VI are sometimes quoted as being parallel. It is true the same phrase is used, '*during his life*,' but these are quite different documents and under a different Act of Parliament. The argument breaks down as soon as this is realised. These grants are of the nature of Restitutions, not of Custody.

the possibility of any Commendam having been issued previously.

But we are not yet by any means at the end of the peculiarities of this amazing grant. Such a confusion as we find in it between the recognised phraseology of a retrospective and that of a prospective grant could never have been perpetrated by a professional draughtsman within the office of the Privy Seal. It must have come to that office from some authoritative source outside. And as, on inspection, it proves to have been simply copied from the retrospective grant given to Cranmer three years before, with the necessary changes made in their proper places, we shall probably not be far wrong if we fix on the Archbishop as being concerned in its production.

But a higher power even than the Archbishop seems to be implicated. Note the title by which the Archbishop is called. He is Primate of All England and *Legate of the Apostolic See*. Who in 1536 would have dared to give Cranmer that title? Not Cranmer himself, who had formally resigned it two years before in Convocation, on the express ground that it was derogatory to the royal supremacy. Not, surely, any clerk in the office of the Privy Seal or of Chancery. Would even the Lord Chancellor Audeley himself have dared to use it, when within the year his greater predecessor, Thomas More, had lost his head for impugning the royal supremacy? Would any single person have dared to do it except the King in person? If we think of the veritable Reign of Terror which was at that moment in progress, it seems inconceivable that anyone else would have ventured on the act. Who again, except the King himself, would have dared to

go on to apply to Cranmer the well-known phrase which for centuries had been appropriated to the Pope, to denote the action of the Holy See in the provision of bishops. '*Ipsum sic electum Episcopum praedictae Ecclesiae Menevensis praefecerit et Pastorem.*' Cranmer, apparently by confirming the election, for he had done nothing else, is asserted to have 'set Barlow as Bishop and Pastor over the Church of St. David's.' Never, before or since, has such language been used of any Archbishop of Canterbury, or of anyone except the Pope. And who, we may well ask once more, would have dared to use such language of him at such a time, except the King himself, who was claiming to be possessed of papal powers in England? But why should the King use such terms? We can only suggest that it was because he knew he was doing a very Erastian action, and he wished to cloak it by a special show of ecclesiastical authority. He would not have invented the words, or put them in wholly out of his own head, but there they were before his eyes in Cranmer's grant, and he simply ordered them to be copied into the new grant for Barlow.

One point more remains to be considered. The grant ends with the words *Per breve de Sigillo Privato*, 'by Brief of Privy Seal,' which is the usual thing, and then goes on 'and by the granted authority of Parliament.' For what reason was this added? It does not occur in any other of Henry's grants. Obviously he is conscious that he is doing something quite unusual and wishes to claim a special authority for doing it. That was always Henry's way. All his most illegal and violent actions were done under the

form of the strictest law. But still it is not very clear what Act he is appealing to. It can hardly be 25 Henry VIII, cap. 16, which is the Act which regulates the appointment of bishops, for that contains nothing to the point, and had, moreover, been contravened in several points by the peculiar procedure adopted in this case. It would seem that the appeal is to the recently passed Act of Supremacy, and that Henry is justifying his unusual action by representing it as an act of that supreme authority over the Church with which he had been endowed by Parliament.

It is only of comparatively recent years that the real nature of this document has been known to historians. It was originally published in 1613, but only in a deliberately mutilated form, giving an entirely false impression, by Mason in his book on 'The Consecration of the Bishops in the Church of England.' This mutilated form was the only one known till Canon Estcourt found the document and published it entire in 1870. Even he, however, did not fully realise its force and meaning.

From the day on which he received this grant Barlow took the full style of a bishop. He had signed himself 'Will^m Barlo' a month before.¹ But now he signs 'Willm^{us} Meneṽ,' a title he had no right to adopt before consecration had taken place. He is also given the title by others. The summons to the House of Lords was issued on April 27, the day after the temporalities were restored to him; and he is summoned as Bishop of St. David's, not as Bishop Elect.

¹ British Museum, *Caligula B. III*, leaf 194; cf. *State Papers*, Henry VIII, v. 36, 46.

He took possession of his see at once, apparently by proxy,¹ and himself went up once more to Scotland on the King's business. He remains in Scotland, however, only for a few weeks, for he is back in London by June 30, on which day he took his seat in the House of Lords. If he was ever consecrated at all it must have been before that date. At least no later date has ever been suggested by anybody.

There was a consecration of bishops on June 11, when Repps of Norwich and Sampson of Chichester were consecrated. It has been maintained by the late Bishop Stubbs and others that Barlow was probably consecrated with them. That, however, is put out of the question by documentary evidence. We have the warrant from Cromwell bearing the date of June 12, in which Barlow is still spoken of 'as the Bishoppe then elect of St. Asaph's, now elect of St. David's.'² Moreover, there is also extant a letter written by one Anthony Waite, a servant of Sherburn, Bishop of Chichester, to Lady Lisle. It tells how Dr. Sampson 'was consecrated with the abbot of St. Benet's, now bishop of Norwich' on Trinity Sunday, and since he makes no mention of a third recipient of consecration, makes it certain that Barlow was not also consecrated at the same time.³ It is obviously impossible for anyone, in the face of the complete absence of every one of the various documents required for a consecration to take place, and also of these two pieces of documentary evidence to the contrary, to continue to maintain

¹ See Estcourt, *Question of Anglican Ordinations*, p. 65.

² Ashmolean MS. 857, f. 48. It is printed in full by Estcourt, App. xxiv.

³ *Letters and Papers Henry VIII*, i. 481.

that Barlow could have been consecrated on June 11. That date was suggested formerly by Dr. Haddan, and adopted by Bishop Stubbs in the first edition of his '*Registrum Sacrum Anglicanum*.' It has, however, been abandoned in the later edition of that book.

We are now in a position to sum up what we have learnt from the study of Bishop Barlow's documents. Certainly we have learnt this, that he was in a most unusual position. There is a total absence of evidence for his consecration on the one hand ; on the other there is the singular fact of a deliberate and careful variation in the wording of his documents. Wherever the facts would be known and in consequence it would be futile to attempt to pass him off as a consecrated Bishop, the documents duly give him his proper title of Bishop Elect. It is so with all the documents connected with St. Asaph, and it is so with Cromwell's warrant, quoted above, about the 'dyetts' of Thomas Hawley, who had been Barlow's constant companion during his embassy to Scotland. The very form of the grant of 'Custody' issued proves the same thing. But wherever the facts would not be known, and where it would be naturally taken for granted that consecration to St. Asaph had taken place, the word 'Elect' is dropped and he is spoken of simply as Bishop of St. Asaph or St. David's, or as 'the same now Bishop.' It is thus in all the documents which are connected with St. David's ; with Cranmer's certificate to the King ; with the wording as distinct from the form of the grant of Custody of the Temporalities ; with the summons to the House of Lords. Such a variation, so deliberately and consistently carried out, cannot

have been made without a reason—and the reason seems obvious enough.

Let us take Barlow's position on June 12, 1536, a date when Cromwell's warrant, already quoted, makes it quite certain that he was not yet consecrated. He will have been dressed as a bishop, in full accordance with Catholic custom, ever since February 23, the date of his confirmation to the see of St. Asaph.¹ He was passing himself off as a fully consecrated bishop—there can be no doubt about that,—signing himself as William Menevensis, and so forth. He was in full possession of his see of St. David's so far as spiritual jurisdiction was concerned, by virtue of the confirmation of his election on April 21. He had every power and every right to rule his diocese, to present to benefices, to grant dispensations, to hold diocesan Courts. He was in full possession also of all the temporalities of the see, and that not for a time only, but for life. He could grant leases, draw the revenues, deal with the property as he would, by virtue of the King's grant of April 27. He could take his seat in the House of Lords at any moment that he pleased, for the King's Writ of Summons had been issued to him on April 28, and he had been summoned, not as Bishop Elect and Confirmed, but as full Bishop of St. David's. Hence there would be no question of the date of consecration arising, so long as he was content to take his seat beneath any bishops who had already done so, and did not himself raise the question of 'ancientry.' It has never been any part of the duty of the officials of the House of Lords to demand proof

¹ *Caerimoniale Episcoporum.*

or date of consecration,¹ when this writ is presented ; although, when such proof is brought, and a bishop claims in virtue of it to have precedence above others who although consecrated later than himself have taken their seat in the House before him, it is their duty to determine how the rights of precedence really stand. Barlow could claim also by the ordinary Canon Law to be summoned to Convocation, and to sit and vote there with the other bishops, nor had he any reason to doubt that Cranmer would duly summon him ; and summon him also, as the King had already done to the House of Lords, as Bishop of St. David's and not merely as Bishop Elect.

There was only one thing in fact still wanting to make Barlow's position complete, and that was the power of Holy Order. From a canonical point of view at all events, however the matter might have been ruled by the secular lawyers in view of the powers of the Supreme Head, Barlow still could not confirm and he could not ordain. His confirmations and ordinations would have been invalid in the eyes of the Church, however they might have been regarded by the law of the land. But there his disabilities ended. Everything else that a bishop could do he could do validly and lawfully, by the laws of the Church as well as by the law of England. He could assist at the consecration of other bishops and join in the imposition of hands, for that is primarily an act of jurisdiction, signifying official concurrence with the consecrator's action, and only secondarily and

¹ See the *Journals of the House of Lords* for the period. The phrase is *Hodie allatum est Regium Breve . . . Episcopo directum . . . qui presens admissus est ad suum Eminencie locum salvo cuipiam jure*. An extract is printed *infra*, p. 185.

accidentally an act of the power of order—if indeed it is ordinarily an act of order at all. Abbots and other priests of dignity can be commissioned to join in the imposition of hands when bishops are not available, and bishops elect and confirmed, though not yet consecrated, are always allowed to do so. The only acts belonging to a bishop which flow from the power of Holy Order are confirmation and ordination, and these, consequently, were the only episcopal actions which Barlow was still incapable of performing validly by the Canon Law.

It is a question which is of the greatest interest, whether he did or did not actually perform these acts in Henry's lifetime ; for there is no doubt that he did in his later years, as can be proved by an inspection of the diocesan registers of Chichester. But for Henry's reign we have no means of discovering how matters lie. The diocesan records of St. Asaph's and St. David's, and also those of Bath and Wells are all missing for Barlow's time, although extant both before and after his episcopate, and so the evidence we require has been rendered inaccessible.

Another interesting question, which again we have no means of answering, is whether or not Barlow was made, like every other bishop of his time, to take out a licence from the King to give him permission to exercise his office. The original document would be pretty certain to have perished in any case, and as these licences were not issued under the Great or even the Privy Seal, but under Henry's special Seal for ecclesiastical matters, depending on his supremacy, they did not need any formal authority for their issue, nor were they enrolled on either the Patent or the

Close Rolls. We have, therefore, no means left to us of ascertaining whether one was actually issued to Barlow or not. If a licence was issued, and if it ran in the usual form, it will have contained the grant of the King's authority to ordain and to do all other episcopal actions. If the whole circumstances of the case be taken into consideration there will be few who will doubt that a licence of this sort was issued in due course, and that Barlow, holding it, was rendered fully competent in his own eyes and in those of the King to ordain such clergy as were needed for the diocese of St. David's, and to use the full powers of a bishop in every way. But of this, unless either the royal licence or else the diocesan registers of St. David's should still exist in some private library, which is scarcely likely to be the case, we shall never be able to produce actual proof, nor to clear up beyond dispute the real nature of the situation.

There is one more question which it is interesting and important to ask at this juncture. It is, how far the Chapter and Diocese of St. David's understood how matters had been arranged. Was Barlow's position as a bishop made by the sole authority and power of the King acting as Supreme Head of the Church of England generally realised, or was the knowledge of it confined to the very small number of highly placed officials who could not be kept from knowing what was going on? The answer to this question seems to be given us by the documents themselves. What *could* be the object of the significant divergence between the wording of the documents intended for St. David's and of those which belong to St. Asaph if it were not to make the Precentor and

Canons of St. David's imagine that Barlow had been already consecrated as Bishop of St. Asaph and that it was a case of an ordinary translation from one diocese to another? We may take it for granted that the Chapter did not know the real facts, but took Barlow for a consecrated bishop, and that, if *they* did not know, the knowledge was confined to the very limited circle of the King, Cranmer and Cromwell, with a few other highly placed and confidential officials who could be relied upon to do whatever the King wished and to keep his secrets inviolate. But in that case, it may be urged, how was the King's object attained? If his purpose was the increase of the Royal Prerogative and the institution of a hierarchy owing everything, and not merely their appointment to himself, then publicity was essential. Why then was the matter kept secret?

The answer would seem to be that Barlow's case was of the nature of a *ballon d'essai*, to make practical trial how far the existing law, without any change whatever, would allow the King to go in this direction. No law whatever, so far as the letter of it was concerned, was contravened by what was done. The King withheld the issue of the *Significavit*. That was all. Nor was there any power by which he could be forced to issue it. If he did not, but acted as he did in Barlow's case, the event had proved that he could get a purely State bishop in each individual case. If he chose to go on he could obtain as many bishops of this kind as he pleased, bishops with the power of jurisdiction, but lacking the power of order. The succession could be kept up, if it was desired, by a few bishops of the old sort. The possibility of doing all this was proved

by the Barlow case. But Henry had not made up his mind fully whether he would do it. Hence he kept what he was doing a secret. In the event he determined not to carry the scheme further. In the interval between the time when the Barlow scheme was initiated in November or December 1535, and the next episcopal vacancy in April 1536, the whole situation had changed as on the turn of a kaleidoscope. Catherine of Aragon had died in January, and he was free to marry again, as soon as he had got rid of Anne Boleyn. That freedom he achieved in May. The foreign dangers had passed away. The Pope's excommunication was suspended. There was no longer any danger from the Emperor or from France, and therefore no need to join up with the Protestants of the North. The bishops in England were completely subservient, and were giving no trouble in the matter of the destruction of the monasteries. So the scheme was given up for the time, and though in 1540 Henry showed signs of wishing to take it up afresh, it was never again put into action. Barlow remained the only State bishop, in the Danish sense, to be found in England. But Henry was not a person who liked recanting, and so Barlow remained unmolested, even during the reaction of Henry's later years, with his secret known to few except himself, in order that the King might save his face, and not have to acknowledge the fact that he had once plotted with Cranmer and Cromwell and that the plot had miscarried and come to a profitless and futile conclusion.

The form of Barlow's Grant of Custody suggests that after all Henry's main object may have been pecuniary. He was in desperate need of money, and

was obtaining it at this very time by the robbery of the Church through the destruction of the monasteries. The possessions of the bishops offered another rich field for plunder. If they were once consecrated these possessions were theirs in freehold. But till they were consecrated they were the King's, and he could deal with them as he would. The temporalities of St. David's were inconsiderable, but Winchester, Durham and York, among others, were very rich. If the same process were repeated in the case of one of these, there would be no need for the King to grant custody of the whole of the temporalities. He could grant just what he pleased and retain the rest. The advantage to the royal exchequer is obvious and might be exceedingly important. Queen Elizabeth knew this when she kept the rich see of Ely vacant for so many years. Legalised robbery of the Church has been in all ages a popular method of refilling the depleted coffers of the State.

CHAPTER V

THE CONSECRATION OF ARCHBISHOP PARKER AND THE ATTACK ON BISHOP BONNER

THERE were five sees which chanced to be vacant at the moment when Queen Mary died, on November 17, 1558, and to these Canterbury was at once added, the death of Cardinal Pole, perhaps happily for him, taking place only a few hours after that of Mary.

Before the new Queen had been on the throne a month the number of sees vacant was further increased by the death of four bishops more. By the end of 1558, before any changes had been introduced in religious matters, there were only seventeen of the dioceses in England and Wales which still had a bishop. A few more months passed away, and even this scanty band began to be thinned yet more by deprivations. Parliament had been at work in the meantime, and it was no longer doubtful to anyone what the policy of the new Queen was to be in matters ecclesiastical. The Royal Supremacy was restored, but only after a fierce struggle, and with the title of 'Supreme Governor' substituted for that of 'Supreme Head.' The Second Prayer Book of Edward VI was revived, the papal jurisdiction had been once more abolished, and matters were now ready for proceeding

against the small band of the surviving bishops, all of whom stood firm and unmoved, recording their votes in the House of Lords steadily and unanimously against each change that was proposed.

On May 23, 1559, a commission was issued to a body of eighteen laymen to administer the new Oath of Supremacy to the bishops and others who had been ordered by Parliament to take it, and the last thinning of the episcopal ranks at once began. We can best date the various deprivations by noting the times at which the spiritualities in each diocese passed into other hands. The spiritualities of London were seized June 2, 1559; those of Lichfield, June 24; Worcester, June 30; Lincoln, July 2; St. Asaph, July 15; Winchester, July 18; Peterborough, November 11; Exeter, November 16; and Ely, November 23. The spiritualities of York came into the hands of the Dean and Chapter on February 3, 1559-60, although Heath, the Archbishop, had been in trouble as early as July 5, 1559.

The Queen was in no great hurry to fill the vacant sees. To begin with, while they were vacant the revenues all belonged to the Crown, and this was no small matter at a time when the Crown needed money very badly indeed. Then, too, she had designs on a great many manors and other possessions which belonged to these bishoprics, and 'exchanges' and other rearrangements, all tending very much to the advantage of the Crown, were carried through more readily while they were vacant than when the vested interests of a bishop actually in possession had to be considered. But not even Elizabeth could keep all England without bishops for an indefinite period, and by the middle of

1559 it was already clear that something must be done, without any very prolonged delay, to fill the vacant sees, and to provide the Church of England with a new set of rulers.

Matthew Parker, formerly Master of Benet College (Corpus Christi) at Cambridge, who had been also Dean of Lincoln under Edward VI, had been selected for the post of Archbishop of Canterbury as early as March 1559. He shrank from the responsibility, but his scruples were overborne; the *Congé d'élire* was issued to the Dean and Chapter with Letters Missive containing his name as the person whom they were commanded to elect, and accordingly he was returned as duly elected, though only four prebendaries would attend to vote, on August 1. The next step was to confirm the election, a duty which would normally have fallen to the Archbishop of York, but the Archbishop, even if not already deprived, was out of favour, and, moreover, would refuse to act. The proper course for the Crown to take under these circumstances was to issue a commission to four other bishops, and this was accordingly done. There were at the time five other bishops still remaining in possession of their sees: Tunstall of Durham, Bourne of Bath and Wells, Pole of Peterborough, Turbeville of Exeter, and Kitchin of Llandaff. The hope was apparently still entertained that some of these might yet be induced to act. A commission was therefore issued, on September 9, to Tunstall, Bourne, Pole and Kitchin, joining with them two of the returned exiles, Barlow and Scory.¹ As Canon

¹ Pat, 1, Eliz. p. 2, m. 1. Rymer, *Fœdera*, xv. 541.

Estcourt has remarked, it is hard for us to understand 'how anyone could hope that a Commission would be executed which bore so gross an insult on the face of it. Not merely to require them to consecrate a married priest, notoriously suspected of heresy, but to join with them two suspended excommunicated ecclesiastics, calling themselves Bishops, relapsed heretics and apostate Religious, was sufficient of itself to prevent the execution of the Mandate.' We must note also, although we do not know for certain, that they may have been asked to use a form of ordination which had already been formally adjudged invalid by the authorities at Rome. There is no record whether they were ever definitely cited, nor in what manner their refusal was given. But Tunstall was deprived on the 28th of the same month of September, Pole was deprived November 4, and for Bourne a commission was issued on October 18, to tender to him the Oath of Supremacy and directing the steps to be taken in the event of his refusal.

By this time the Government was in a position of real difficulty. The Act required not bishops merely, but 'Bishops within the realm,' that is to say bishops in possession of actual sees, and except Kitchin of Llandaff, there was none remaining. For a short period it looks as if Elizabeth and Cecil must have given up the attempt and determined to have State bishops after the Danish manner, without consecration but only appointed by Letters Patent from the Crown. They took power to do this by the incorporation into the Act of Supremacy¹ of a Bill which had

¹ Strype, *Annals*, ii. 59.

passed both houses in March, entitled 'A Bill for the collation of Bishops by the Queen's Highness and without rites or ceremonies.' Some such plan seems the only explanation of a variety of facts which seem to look in that direction. Chief among these is a document under the Great Seal, dated October 20, and appointing Parker, Grindal and Cox, all as full bishops and not bishops-elect, to act as commissioners for administering the Oath of Supremacy.¹ Another similar document is the issue to Parker by the Herald's College of a coat of arms, again as full archbishop, on November 28. Parker himself at this period took to signing himself as Matthew Cantuar, and Jewel and others speak of him as Archbishop of Canterbury with no qualification. He was certainly given the right to reside at Lambeth, though no actual grant of custody seems to have been issued. This theory again, if it be true, would explain the words of Catholic controversialists such as Stapleton and Bristow, who were in a position to know, since they were still in England at the time, and who say definitely that the new bishops were appointed at first only by Letters Patent and later by the ceremony of consecration. There is absolutely no evidence, however, to show that any such Letters Patent were ever actually issued.

But be all this as it may, the idea of finding bishops of some kind, even if no diocesan bishops were available, was soon taken up again. There is a paper extant² giving the course of action which in the writer's opinion should be followed. It is annotated on the

¹ Rymer, *Fœdera* xv. 546.

² *State Papers, Domestic*, Elizabeth, 1559, July, p. 135. It is printed in full by Estcourt, who also gives a facsimile.

left side in Cecil's handwriting and on the right in Parker's. Cecil has written in one place 'There is no Archbishop nor four Bishops now to be had.' However, they had to get forward somehow, and a new commission was issued on December 6, in which the places of the bishops who had been deprived were taken by four more of the exiles: Coverdale, who had been Bishop of Exeter, Bale, who had once been Bishop of Ossory in Ireland, and two suffragans, Hodgkins of Bedford and Salisbury of Thetford. Any four of this commission might act. Bishop Kitchin of Llandaff, who had apparently not joined in the refusal of his fellow-bishops, keeps his place in this second commission, the only one of the Marian bishops who did so, but he did not join in the consecration. There was another difficulty which was troubling the Government, arising out of the legal position of the Ordinal of Edward VI. As a Catholic consecration was then still hoped for, it had not received the authority of Parliament in the session which had since come to an end. Cecil makes a note to that effect on the paper already mentioned.

To remedy these defects, and especially the defect that none of the bishops named in the commission, with the one exception of Kitchin, had any episcopal jurisdiction within the realm, a very singular clause was added to the commission. By this clause the Queen undertook, out of the plenitude of her royal authority as Supreme Governor, to make good and to supply any possible legal defects which might arise out of the unusual facts of the situation.¹ That it was

¹ The full text is: '*Supplentes nihilominus suprema auctoritate nostra ex mero motu et certa scientia nostris, si quid aut in his quae juxta*

the want of jurisdiction in the bishops, rather than the lack of authorisation of the Ordinal which was especially the cause of this clause *supplentes nihilominus*, is shown by the fact that it occurs only in this one commission for Archbishop Parker, and was not repeated in the documents of the bishops who followed later ; although the defect of Parliamentary authority was just as pressing in each of these cases as in that of the Archbishop himself.

Still it is hard to believe that so widely drawn and all-embracing a dispensation as this was really only meant to supply the lack of territorial jurisdiction. The words applying to the possible defects in persons are these, *conditio*, *status*, *facultas*, and these are doubtless used in their strict legal and canonical sense. Of these *facultas* would alone have covered sufficiently the want of jurisdiction. *Status* and *conditio* are of wide meaning, and a formal opinion was given on the point by the late Mr. J. R. Hope Scott, Q.C., a very eminent authority, to the effect that he thought ' there could be no question but that even the want of consecration in the consecrators would, in those times, have been held to have been cured by the language of this commission.'

One is inclined to wonder whether this may not be the true explanation, and that Cecil, at least, knew of Barlow's position, and that he caused this strange dispensation to be drawn up in these wide terms in order to cover the difficulty which he knew of, although

mandatum nostrum prædictum per vos fient aut in vobis vel vestrum aliquo conditione statu facultate vestris ad præmissa perficienda desit aut deerit, eorum quae per statuta hujus nostri regni aut per leges ecclesiasticas in hac parte requiruntur aut necessaria sunt, temporis ratione et rerum necessitate id postulante.'

most did not, and to provide the requisite answer, if it should become generally known. If so, his expedient failed in the result, as will be seen later on.

When Kitchin refused to act, Barlow became the senior bishop in the commission, and to him it was, accordingly, that the duty of taking the principal part in confirming the election and consecrating the Archbishop naturally fell. We may feel sure that no suspicion whatever of his irregular position, or of the fact that he had never been consecrated, occurred to Elizabeth, or to the Archbishop himself. They were both of them far too anxious to secure the legal validity of the act to have run such a needless risk when there was no real necessity. Barlow himself, no doubt, held his tongue. In his eyes it was a matter of no consequence, since he had no belief in apostolic succession. But it would certainly have jeopardised his prospects of future promotion had he acknowledged openly that after all, so far as the episcopal *character* was concerned, he was no bishop at all, although he had acted as one throughout a long series of years.

All those who had been concerned in the original matter were long since dead. Henry himself had perished miserably, Cranmer had been burned, Cromwell had been beheaded. The matter, as the documents themselves show, had been kept very secret at the time. Barlow's own Chapter at St. David's had been deceived, and there were probably only a very few who had ever realised how matters stood. Quite possibly Barlow himself was the only survivor of those who had originally been connected with the affair, and the secret was known to himself alone. Twenty-three

years is a long time, and many witnesses can be removed by death within such a period. In any case, whether any knew it except himself or not, the point was not brought forward publicly, and Barlow went on without hindrance to sit as the chief of the commission, to confirm the election of the Archbishop, and a few days later, on December 17, 1559, to take the chief part in his consecration at Lambeth Palace.

It was a strange scene, singularly characteristic of the new Church of England, and prophetic of much that was to happen later within her borders. It is all recounted for us in the Register of Archbishop Parker, in a form which reminds us more of a report in a modern Church newspaper, than of the dull columns of an episcopal register. It was cold and dark, between five and six o'clock on a midwinter morning, when Parker entered the chapel, with four tapers carried before him. The four bishops, Barlow wearing a cope, Scory and Hodgkins in surplices, and Coverdale in his gown, took their places on the south side of the Communion table, and Parker, wearing his doctor's habit, was opposite to them on the north. They said the office of Morning Prayer together, and then Scory preached a sermon. Then they all returned to vest for the Communion service, and came back through the north door ; Barlow as celebrant, with two archdeacons, Bullingham and Gest, to act as deacon and sub-deacon, all three habited in copes. Scory, Hodgkins and Parker were all now habited in surplices, but Coverdale's Puritan prejudices would not allow him to join them, and he kept apart, still clothed in his long black woollen gown. After the Gospel Barlow took his seat before the Communion

table, and the other three bishops presented Parker to him to be consecrated ; the Queen's mandate was read ; the new Archbishop took the prescribed oaths against Rome ; the litany was sung and the rest of the service gone through. At the moment of consecration all four of the bishops, contrary to the rubric of the Book they were using, are stated in the register not only to have laid on their hands, but also to have recited the words 'Receive the Holy Ghost,' etc. After the service all left the chapel, and the new Archbishop was solemnly escorted to his household.

That was the scene, which to-day can be read by anyone in the pages of Parker's Register. But at the time no information of any kind was vouchsafed to the outside world. The darkness of the winter morning was a fit emblem of the secrecy with which this momentous consecration and all its details were guarded for many years. No one knew who had been the consecrator, or how the ceremony had been carried out. The most pressing questions, the most pointed inquiries, the most elaborate and often insulting insinuations could not draw any kind of information from the authorities. The whole affair was deliberately wrapped in impenetrable mystery.

The new Archbishop at once went on with the work of filling up the vacant sees. He confirmed Barlow to Chichester and Scory to Hereford. With the assistance of these two and of Hodgkins, he consecrated Grindal to London, Cox to Ely, Meyrick to Bangor, and Sandys to Worcester. A month later four more bishops were consecrated ; Jewel of Salisbury and three more followed before the end of March 1560. The difficulties had been surmounted, epis-

copal government had been restored, and the reformed Church of England was fairly set upon her way. It was not till some years later, in 1564, that a fresh trouble began to show itself, the real nature of which is now explained for the first time.

The Catholic bishops who had been deprived in 1559 had not for the most part been kept in actual prison. Elizabeth, with a somewhat sardonic sense of humour, had assigned them as unwelcome and unbidden guests to the intruding prelates who now held their property. With these hosts they abode, scarcely, as Bramhall claims for them, 'splendidly lodged,' but at least probably in some respects less uncomfortable than they would have been in the common prison. One, however, of their number, Bishop Bonner of London, the most hated of all because from having been an adherent of 'the New Learning' he had become its most determined opponent, was kept in the Marshalsea Prison in South London ; not, however, in the common wards, but in some sort of semi-private custody.

It had been enacted by Parliament that to refuse the Oath of Supremacy a second time, when it was tendered by the proper person, namely, the bishop of the diocese, was High Treason, and to be punished in the usual barbarous manner. The enactment had been intended to be for the most part a dead letter, only to be called into use in certain exceptional and serious cases. Parker, acting in conjunction with Cecil, had absolutely forbidden the bishops ever to act without his leave.¹ But to some of the more extreme of the

¹ Strype's *Parker*, i. 125.

Puritan party it seemed to open the door to a speedy revenge upon their enemies, and especially upon Bishop Bonner, who, as has been said, was held in great detestation, not only on account of his desertion of their cause, but also because of stories of his cruelties during Mary's reign, for the most part quite apocryphal as has since been shown, which had been put into circulation and were generally believed to be true by the common people. Parker and Grindal agreed to put the matter in action against him, and carefully concealed from Cecil what they were doing.¹ From the Marshalsea, accordingly, Bonner was summoned before Bishop Horne, the new Protestant Bishop of Winchester, who had determined to offer him the oath for the second time and thus to bring about his final undoing. He, as well as Parker and Grindal, soon had good reason to repent of this unwise and gratuitous ferocity.

Bonner's enemies, and they were many, were full of unholy glee. There was no doubt in anyone's mind that he would refuse the oath, and they looked forward to seeing him die a traitor's death. Already they pictured him drawn to the gallows in a hurdle, to hang there for a few moments, and then to be cut down alive, to be stripped and butchered and dis-

¹ *State Papers, Domestic*, Elizabeth, 1564, p. 239. 'For Dr. Bonner's oath,' wrote Grindal to Cecil, May 2, 1564, 'I did of purpose not trouble you with it aforehand, that if any misliked the matter you might *liquido jurare* ye were not privy of it. Notwithstanding I had my Lord of Canterbury's approbation by letters, and I used good advice of the learned in the laws. I could wish that the judges were moved that expedition may be used before them. A thing obtained with such difficulty would not the better lie without all execution; and no more meet person to begin withal than that person.'

embowelled before life left him ; while the cauldron of boiling pitch stood ready to receive the quartered limbs and the head, which no doubt would then be set up on London Bridge or Temple Bar, so that all might look upon and execrate the poor mangled remains of him who had once been the proud Bishop of London, and judge in many a case of heresy.

Such were their pleasing anticipations, but they were not destined to be realised. Bonner refused the oath, as they were all quite sure that he would do, but he refused it on unexpected grounds. 'This oath,' he told Bishop Horne, 'has to be administered by the Bishop of the diocese, but you are no Bishop of Winchester, no, nor no Bishop at all, but only plain Dr. Horne.' Horne could do nothing but order his chancellor to return a certificate into the King's Bench to report Bonner's refusal, and the matter accordingly stood for trial. Bonner appeared before the court, confessed the fact of his refusal and traversed the indictment. He asked for counsel, and Plowden and Wray, two very eminent lawyers, were assigned to him.

There is still extant a long plea,¹ drawn up apparently by Bonner himself, which deals with the reasons why the indictment should not stand. It is probably his preliminary instruction for his lawyers, and does not necessarily represent the actual pleading in court, but it shows the kind of arguments he was bringing forward. As his life was at stake he makes every possible objection, technical or practical, against the legality of what Horne had done. Very possibly his

¹ Printed by Strype, *Annals*, vol. i, pt. 2, pp. 379-81 in original edition, from one of Foxe's MSS., now in the Harleian collection.

own lawyers cut out a great deal before they brought it before the court. In any case, most of it is unimportant and need not occupy us now. The plea which is of interest to us, and which seems to have arrested the attention of the judges, deals with one of the two objections which we have already spoken of as having been noticed by Cecil at the time of Parker's consecration. In Bonner's paper it is stated as follows :

'Item. That the said Dr. Robert Horne not being lawful Bishop of Winchester, but an usurper, intruder and unlawful possessioner thereof, for that according to the laws of the catholic church, and the statutes and ordinances of the realm, the said Dr. Horne was not elected, consecrated, or provided, etc.

'Item. That Dr. Horne foresaid is no lawful Bishop, neither concerning the tendering of the said oath, nor exercise of other ecclesiastic office, for many causes, and specially for that the said Dr. Horne was not lawfully consecrated according to the laws and statutes of this realm, and especially the statute of 25 Henry VIII, cap. 20, where in effect is required that he that is to be consecrated must among other things have one archbishop and two bishops, or else four bishops at the consecration, which the said Dr. Horne had not.'

There is no reason to suppose that Bonner had any special knowledge of the matter. The great secrecy with which the whole subject of the consecration of Parker and the other new bishops had been surrounded, would have prevented him from having any accurate knowledge of what had occurred. He suspected that something was wrong in the matter of these consecrations. Very likely he thought they had

never really taken place, but that the Queen's appointment had been held sufficient. He could not in any case think of any four 'bishops within the realm' who were available when all the Catholic bishops had refused to act. So he drew his bow at a venture, on the chance that something was wrong, and that the precise details would come out in court. In any case he hoped to secure such delay and breathing space as might be possible, and at least to defer the death with which he was being threatened.

The judges, when Bonner's plea was brought before them, threw out all the rest, mostly questions of legal phraseology and local jurisdiction, but agreed unanimously that if Bonner could prove that Horne was not Bishop of Winchester, that plea would stand and Bonner must be acquitted.¹ The decision caused the greatest annoyance to his enemies, and Randolph, who was up in Edinburgh, hearing the rumour of what had happened, writes for confirmation of it to Cecil on March 30, 1565. 'The tale here is that Boner in his defence at his arraignment said that there was never a lawful Bishop in England ; which so astonished a number of the best learned that yet they know not what answer to give him ; and where it was determined he should have suffered, he is remitted to the place from whence he came, and no more said unto him.'²

¹ ' *Et fuit mult debate inter omnes justic. in camera dmi. Cattyne si Bonner poit donner in evidence sur cest issue, scil. quod ipse non est inde culpabilis, que le dit Evesque de Winton. non fuit episcopus tempore oblationis sacramenti. Et resolve per omnes que, si le verity et materia soit tyel in fait, et a ceo serra bien resceive sur cet issue, et le jury ceo triera.*'—Dyer's Reports, 234.

² *State Papers, Scotland*, x. 66.

For nearly two years the case dragged on, and they dared not let it come into open court. Again and again Bonner was brought out of prison and taken to the chambers of the judges, but only to go back once more to prison. All unwittingly as it may have been, it was obvious that he had hit upon a plea which was puzzling the wits of the wisest of his adversaries to know how to defeat.

There are two or three papers still extant which give us a clue as to what was going on among the legal authorities. The judges at least had no knowledge as yet of Barlow's lack of consecration. It was evident, of course, from the first that it was Parker's and not Horne's consecration which was the really weak spot. If Horne were called upon to produce his archbishop and two bishops he could only produce Parker, who would at once be called upon to bring proof that he too had been properly consecrated. So a search was at once instituted into the Registers, and certified copies were produced for the judges to inspect. One such paper is preserved among the Harleian MSS., and gives copies of the consecration of several of the bishops of Henry's reign, immediately after the passing of the Act 25 Henry VIII, cap. 20, all certified by the Archbishop himself to be accurately copied from the Register. But a far more important paper than this is the one which is preserved among Foxe's MSS. in the British Museum. This seems to embody the results of a search made into the Registers at Lambeth by some person who was doing it for official purposes. It begins with an abstract of the Register of Bonner's consecration taken from Cranmer's Register. Then it goes on to recount the whole story of Parker's

consecration in language for the most part resembling the existing Register, but presenting one or two important variations from it,¹ which rather look as if it may have been copied from an earlier draft, and not from the Register in the form we have it to-day. It ends, and this is the really important part for our present purpose, by setting down the pedigree, so to speak, of all Parker's consecrators. This part runs as follows :

' William Barlow was consecrated in the time of Henry VIII.

' John Scory was appointed Bishop of Rochester by letters patent given by the command of the King for his consecration on the 27th April of the fifth year of the reign of King Edward VI. Thomas Archbishop of Canterbury consecrated him with Nicholas of London and John of Bedford as assistants, on the 30th August of the fifth year of Edward VI.

' Miles Coverdale was consecrated Bishop of Exeter on the 30th day of the month of August 1551 and the fifth of the reign of the said King, by the same Consecrators.' ²

This most important paper lets us into the secret of what was going on among some of the authorities on the Anglican side. They seem to have contemplated at first a retort against Bonner that if Horne had not been consecrated in strict accordance with law, so neither had Bonner himself. But this, even if

¹ For instance, it gives Barlow definitely as consecrator and the others as 'assistants,' and names the Ordinal as the rite followed, both of which admissions are carefully avoided in the existing Register.

² Harleian MSS. 419, fol. 149. A facsimile is printed as the frontispiece to Estcourt's *Question of Anglican Ordinations*.

it could have been substantiated, would obviously have been quite futile. Bonner was not defending his episcopal position, but standing his trial for treason. But in any case Bonner's episcopal position was beyond attack, for all in his case had been rightly done. He had been consecrated by Stephen Gardiner, with Sampson of Chichester and Skyp of Hereford as assistants. It was only in the case of an archbishop that the Act required four bishops. The next matter was the defence of Parker's consecration, and for the information of the judges a full abstract is prepared of all that took place on that December morning. Then comes the question of Parker's consecrators, whether they were competent to impart consecration or not, and this involved a further search in the Registers to substantiate the episcopal character of each of them. The searcher found the evidence for Scory and for Coverdale without difficulty, but he could find nothing about Barlow. He will have found, just as a searcher in Cranmer's Register will find to-day, the record of the confirmation of Barlow's election to St. Asaph and later on to St. David's, but he could not find a word about his consecration. But he knew that he had acted as a bishop in Henry's reign. He assumed, therefore, that consecration must have taken place, even though no record of it seemed to have survived, so he writes down 'Consecrated in the time of Henry VIII.' It is interesting at least as a proof that the Registers were as defective in 1564, so far as Barlow is concerned, as they are to-day.

But if Bonner's plea was to be rebutted, some evidence of Barlow's consecration was necessary. Otherwise it was clear that Bonner must win, for it

would not be possible to show that the requisite four bishops took part in Parker's consecration, if the consecration of the principal among them, the actual consecrating bishop himself, could not be proved. But in 1564, Barlow himself was still alive and Bishop of Chichester. No matter how defective the records might be, *he* at least would know where and when he was consecrated, and would no doubt be able to supply the documents from the certificates in his own possession. In any case he could make *affidavit* and the necessary evidence could be made good in that way. So to Barlow himself we may suppose that the Crown lawyers, who were in charge of the case against Bonner, now betook themselves, and from him they will have learnt the fact, which probably no one at that time was suspecting, that he never had been consecrated at all, but had held his office solely on the King's appointment in virtue of the Royal Supremacy over the Church. There would have been no use in his trying to conceal the position, for he would have known that the whole matter would be clear to all as soon as the civil records and especially the Patent Rolls came to be examined, for it would be manifest to all that the King had never issued his *Significavit*, and therefore that no consecration could possibly have taken place.

The effect of this discovery upon the Government authorities can easily be imagined. In the first place it was obviously impossible for them to go on with the case against Bonner. True, even Bonner himself probably did not know how strong a position he held, but it would be impossible to prevent the facts from being known, if once the case was allowed to go forward. So it was determined that the case should never be

allowed to come into court at all. Some other way of settling the matter must be discovered, whereby the case could be kept out of the courts, and the world at large kept in ignorance of the real state of affairs.

Here, perhaps, will be the best place in which to treat of a story which has a distinct bearing upon the subject of Anglican Orders but seems not to have been placed hitherto in its proper connections. Edward Rishton, the editor of Nicholas Sanders' notes in the latter part of his work '*De Origine ac Progressu Schismatis Anglicani*,' published his book in the year 1585 at Cologne. Sanders had died in 1581. When treating of the consecration of Parker and the difficulty the Government was in to find a properly constituted consecrator, he says, 'They importuned also an Irish Archbishop then a prisoner in London to succour them in the straits they were in. They promised to set him at liberty, and to reward him for his services if he would preside at their ordination. But the good man could not be persuaded to lay hallowed hands upon heretics or be a partaker in the sins of others.'

No Irish Archbishop was in the hands of Elizabeth's Government in 1559. So the story cannot be true about Parker, as Rishton has told it. He has probably confused some note left by Sanders and not clearly expressed. The reference is clearly to Richard Creagh, Archbishop of Armagh, who was captured at Drogheda in October 1564. He was tried for his life in Dublin, but the jury would not convict, though the strongest pressure was brought to bear on them, and the Archbishop was brought to the Tower of London January 18, 1565, and shut up in a cell called 'the whale's belly,' because no light ever penetrated

into it. From this place he escaped in April 1565, as he himself believed miraculously, finding the doors all open, and fled to Louvain. While he was in prison he is recorded to have been taken before the Queen and to have had a long interview with Cecil. At Louvain he lived at the Papal College, and must have been in constant communication with Sanders, who was Regius Professor of Divinity. The evidence is therefore good and trustworthy. It was not in connection with Parker's consecration, but with the Bonner trial that Creagh was approached in prison and asked to confer the gift of consecration upon the new Anglican episcopate, who, it had just been realised, had after all no claim to their office even in law. It was March 30, 1565, that Randolph wrote from Edinburgh to say that the scandal had spread even there, and men were saying there was 'never a lawful bishop in England,' and it was only three weeks after that that Creagh escaped from the Tower, fled to Louvain, and told Sanders of the pressure that had been put upon him. Creagh only remained at Louvain a short time. He returned to Ireland and was recaptured in 1568. He was once more brought to the Tower, and was kept there in close and harsh captivity till his death in 1585. There was strong suspicion of poison. One wonders whether the publication in that same year of Rishton's book, revealing the fact that Creagh had spoken at Louvain about these overtures, may not have been the cause of his death. Dead men tell no tales. What he had said then did not matter, since as Rishton had told the story it carried its own refutation. But at least he should have no chance of himself correcting the mistake that had been made.

Queen Elizabeth's ministers would hardly have hesitated to order the removal by poison or otherwise of a prisoner whose life was already forfeited by the law, and who had knowledge of a very inconvenient secret.

After Creagh's refusal there was one way, and one way only, by which the situation could be saved. The whole matter could be removed to Parliament. It was by no means a pleasant alternative, but there was nothing else to be done. It was bitterly humiliating and could not fail to set people talking, but it was the only way out of the *impasse*, and so it was adopted. The strange Act 8 Eliz., cap. 1, 'An act declaring the making and consecrating of the archbishops and bishops of this realm to be good and lawful and perfect,' was the result.

This Act rehearsed that 'divers questions had grown by overmuch boldness of speech among the common sort of people upon the making and consecrating of bishops whether the same were duly and orderly done according to the law or not,' and 'evil speech was used against the high state of prelacy.' All this was no doubt true enough, and much of it had probably arisen from the long delay over Bishop Bonner's case. All the world knew that Bonner had boldly said that 'there was never a lawful bishop in England,' and everyone knew too that for some reason or other the Government dared not act, but had gone on deferring the hearing of the case for more than two years. No wonder if gossip in the meantime had flourished and increased exceedingly.

Then the Act goes on, very cumbrously and tediously, to explain that there really were some grounds for such an opinion. It could not give the

real grounds, for it was precisely in order to keep those secret that it was being passed, so it had to put forward others instead, and it was not the fault of those who had to draft it if these other reasons do not strike the mind as conclusive. The possible illegality arising out of the fact that the Ordinal was not originally a part of the Prayer Book, and therefore was not necessarily authorised by an Act which named the Prayer Book only, was made to appear as the whole cause for the action now taken. It was therefore enacted that all consecrations which had been held according to the Queen's letters patent since the beginning of her reign should be held to be valid, and that all bishops so consecrated should be declared, judged and deemed good and perfect bishops, notwithstanding anything to the contrary that could or might be objected. Whatever flaws, legal or otherwise, there might have been in what had been done in the past, the supreme power of the English Parliament, coming to the aid of the authority of the Supreme Governor of the Church, now washed away and made good, so that these consecrations could in no way be attacked for the future.

By this Act the position of Bishop Horne and the other Elizabethan prelates was indeed established beyond controversy just so far as their legal status in England was concerned, but the difficulty of Bonner still remained. If Horne was now certainly legal Bishop of Winchester, and all his past actions in that capacity were valid, then Bonner must still be tried for his life, and the facts which so much pains had been taken to hide away would quite possibly be dragged out in court. To avoid this some means must

be found of stopping the suit altogether. It was attempted first to do this in the Lords, by an amendment restricting the validation of the acts of the bishops by excepting all such as related to life and property. But when this went down to the Commons it was feared that such an amendment might be held in law to invalidate the leases, etc., which these bishops had already granted. The desired object was, however, attained by appending to the Act a second clause, which provided that no person should be molested on account of any certificate of any such bishop which had been sent in prior to the end of the session then in course, and especially that any tender of the Oath of Supremacy made by any such bishop before that time should be void and of no effect. Thus the case against Bonner was quashed, and all proceedings stopped, possibly to his own great surprise, as he did not know to what it was that he owed this unexpected clemency on the part of his enemies. People generally must have felt, as historians feel to-day, that it was an astonishingly great result to have come from so small a cause as the possible merely technical illegality of the Ordinal employed. It was comparable to the use of a Nasmyth steam hammer to break the shell of a walnut. What was the use of the validating clause issued by the Supreme Governor at that very consecration if it could not cover such a trifle as that? Were the powers of the Crown over the Church really so very limited? It was not thus that Henry and Edward in the past—or, for the matter of that, Elizabeth herself in the future—were ordinarily wont to construe the powers of their supremacy. Men wondered then, and historians have wondered ever since, because they had

not the clue which explains everything ; but to this extent Elizabeth and Cecil had their way, that no one suspected the real cause, and the secret about Barlow's consecration remained a secret still.

Two curious documents, to which attention does not seem to have been drawn hitherto, survive in Parker's Register¹ and finish up the story. Apparently the judges were not satisfied even with the Act, and required something more. So, on November 24, 1566, Elizabeth issued a Latin Brief addressed to Archbishop Parker, and bidding him, before the octave of St. Hilary next, when the Law Courts would reopen, make search diligently in his Registers and other Archives. Whatever he should there find about the consecration of Robert Horne to the see of Winchester, he was to have engrossed on parchment and send to the Barons of the Exchequer, properly certified under his own seal. Parker accordingly, on January 24, 1566-7, makes the report, addressing it to 'Honorable Viris Dominis Baronibus Scaccarii,' and says that having searched his Register he has found that on February 15, 1560-1, he had confirmed the election of Robert Horne to the see of Winchester, and on the 16th of the same month had consecrated him '*adhibitis primitus*² *ceremoniis more Ecclesiae Anglicanae usitatis.*' With this certificate the Barons of the Exchequer were

¹ Register, Parker, i, fol. 258.

² This word *primitus* was added by Parker himself, the rest being a quotation from the Register. It is not quite clear what he can have meant by it. It cannot mean 'for the first time,' for Horne's was by no means the first consecration under the new conditions. Nor can it well mean simply 'the ceremonies having first been performed,' which would be doubtful Latin in any case, for the consecration was itself the sum of those ceremonies.

apparently satisfied, now that the Act had given to all such consecrations a *sanatio ab radice* in the eyes of the law, and so the Bonner case ends. To the last the real point at issue, the status of Bishop Barlow, was never divulged to the world at large.

CHAPTER VI

ARCHBISHOP PARKER'S REGISTER

THE discovery of the terrible mistake which had been made in allowing Barlow to act as consecrating bishop in the initiation of the new hierarchy must have come as a thunder-stroke to the authorities of the English Church, and especially to the Queen herself. To Parker and the other new bishops it may well have seemed of little consequence, once their legal position as parliamentary bishops was secured by the new Act. For none of them had any real belief in Apostolical Succession, or would have troubled himself greatly about the breaking of the chain. To them it was sufficient that, as Article XXIII puts it, they were 'lawfully called and sent' and had 'public authority given unto them in the congregation,' and they asked no more. But to Elizabeth and to Cecil it meant much more. To Elizabeth it meant an absolute breach with the Catholic succession, and she had not lost belief in the doctrine of the sacraments to the same extent as had the bishops. To both the Queen and to Cecil it meant, too, a very definite lessening of bargaining power in case of a reconciliation with Rome. And while the bishops were all of them eager to close the door to all negotiations with Rome, well

knowing that their position was hopeless if any such negotiations were successful, the Queen and her minister were by no means of the same mind at this period. They were anxious to keep the door open and avoid a final breach. At that very moment, in 1566, they were considering the possibility of a matrimonial alliance with the Archduke Charles, the brother of the Emperor Maximilian. A few months later there were negotiations for a marriage with the sixteen-year-old Charles IX of France. In either case some degree of reconciliation with Rome could hardly fail to be the result. Elizabeth herself, too, was sick of her new Church, of the men whom she had been obliged to make bishops, and of the ruin they had brought upon all religion in England. It must have been most unwelcome tidings that her new succession, initiated after so great difficulties, was all a sham. At all hazards, if she were not to be the laughing-stock of Europe, a position which she of all women would least desire to occupy, the matter must be rectified so far as it was still possible. The secret was not yet out, but still, in case it should become public property, —and who could tell whether it might not do so at any moment, seeing how many people might possibly still have personal knowledge on a matter which after all took place only thirty years before?—all that was possible must be done to save a situation which certainly seemed to be lost beyond redemption. If Barlow himself were not a bishop, how about those others who consecrated with him? Could not they, or one of them, have supplied what was lacking in him of episcopal character and the power of Order?

On this subject, the exact nature of the function

of the assistant bishops at a consecration, Anglicans generally are very much confused in their theology. It is common to read in their books that all such bishops always consecrate simultaneously with the principal consecrator, that this indeed is the very object for which they are present, and that consequently Apostolical Succession resembles rather a net than a chain, and cannot be broken by the failure of any one bishop. Unfortunately this doctrine, beautiful and comforting though it be to those who are disturbed about the validity of their succession, is not true. It is upset completely by one little fact which they always fail to take into consideration, namely, that according to English custom it is the consecrating bishop alone who pronounces the words which make up the 'form' of consecration. It is manifestly useless, so far as the transmission of the succession is concerned, for any number of assistant bishops to join in the laying on of hands if they do not at the same time join in the words which constitute the 'form' of the sacramental act. It has no effect at all, according to all Catholic theology, if one bishop lays on hands while another person, whether a bishop or no, pronounces the words of the 'form.' Such an action would be adjudged by all theologians to be unquestionably invalid, for the Church knows nothing of any such dividing up of a single sacramental action. Yet in the Ordinal of the Book of Common Prayer, as in all the Sarum Pontificals which preceded it, the rubric has always been clear that the archbishop or presiding bishop and no one else is to pronounce these essential words. It follows inevitably that the assisting bishops cannot, at any consecration carried out in accordance

with the Book of Common Prayer, have had any share in carrying on the succession, supposing them otherwise to have been fully qualified to do so. There is a story told of a recent king of England, probably entirely apocryphal, yet even so its value as an illustration is in no way impaired, that his baptism was invalid and had to be repeated, because the Archbishop of Canterbury had said the words while the Archbishop of York had poured the water. Just in the same way the co-operation, e.g. of Mark Antony De Dominis, who had been formerly Catholic Archbishop of Spalato, at the consecration of Bishop Felton in 1617, could have done nothing to bring in the Catholic succession, as long as the essential words were pronounced, as they were, only by Archbishop Abbot.

The general teaching of the Church on the whole subject is perfectly clear, and is that the function of assistant bishops at a consecration has nothing whatever, ordinarily, to do with the handing on of the succession. One bishop alone consecrates, and through him alone can the line of succession normally be traced. In all cases where the presiding bishop alone recites the 'form,' no question can even be raised on this point. No theologian has ever yet maintained that anyone can perform any sacramental act whatever without pronouncing the words which constitute the 'form' of the sacrament, or that the essential parts of a sacramental act can be divided between two persons, save only in the single case of matrimony, where the duality of the ministers is of the essence of the sacrament through its nature of a contract.

Even where the assisting prelates do say the words

of the 'form' with the presiding bishop, Catholic theologians are practically unanimous in teaching that, here also, the whole consecration is effected by one only.¹ There can be no question, of course, that consecration by a single bishop is valid. The presence of other bishops is not necessary, although desirable. In their absence, abbots or even prominent priests are allowed to act in their stead. There seems no reason, therefore, to suppose that the function of assisting bishops at a consecration is in any essential matter different from that of the assisting presbyters at an ordination.

On this point the instructions of St. Gregory the Great to St. Augustine of England, which are quoted by St. Bede, are worth study. St. Gregory instructs St. Augustine that, although as long as he is the only bishop in England he must necessarily act alone, as soon as other bishops have been consecrated three or four should come together for all future consecrations, not for the purpose of ensuring the validity of the succession, but, as St. Gregory puts it, 'just as other married couples come together to a marriage to rejoice with the bridegroom and the bride.'²

Perhaps St. Gregory here rather minimises the function of these assisting bishops. Whether they do or do not pronounce the words of the 'form' makes ordinarily no essential difference. The whole onus of the consecration rests on the presiding bishop, and the act is his and not theirs. They bring the neophyte bishop and present him to the presiding bishop, as Scory and Hodgkins presented Parker to Barlow,

¹ See Estcourt, p. 112 *seq.*, for *catena* of theologians.

² Baedae, *Opera Historica*, ed. Plummer, i. 52.

saying, 'Most Reverend Father in God, we present to you this godly and well learned man to be ordained and consecrated Bishop.' By these words they acknowledge that the action to be performed is not theirs but his, and that their office is merely subordinate and secondary. But, all the same, they have a real function to perform and are there for a real and most important purpose. They are there, to use the words of Martène, so often quoted by Anglican controversialists, words with which every Catholic theologian is in full accord, '*non tantum testes, sed etiam cooperatores*,' 'not only as witnesses, but also as co-operators.' They are witnesses of course, but their function is more than that. They are there on behalf of the Church. They signify that it is no mere personal act of consecration in which they join, but the official act of the Church. They co-operate in the consecrator's act and share his responsibility. But if he effects nothing, neither do they. They perform no action independent of that which he performs. They are more than witnesses, they are co-operators in his act, but they are not independent agents acting apart from him.

For this, after all, is the office of a co-operator. Aaron and Hur co-operated with Moses when they stayed up his hands at Rephidim ; they were no mere witnesses ; but the act and all its value was his and not theirs, and they did nothing apart from him. Our Blessed Lady again co-operated really and effectually at our Redemption ; she was no mere witness as she stood by the side of the Cross ; but she could not therefore have redeemed us had our Lord failed to do so. The whole merit and power of the act was His

and not hers. She is our Co-Redemptress, taking the chief part in man's co-operation with the Redeemer, but, alone, effecting nothing. So also, while every theologian will admit that the assistant bishop at a consecration is a true and effectual co-operator in what is done, it by no means follows that he is actually consecrating and handing on the Apostolic Succession, apart from what is being done by the principal bishop whom he is assisting. Such co-operation in an act which is, of itself, null and invalid, need not, and ordinarily will not, be able to provide the force to render effective an act which without such co-operation would not have had validity.

But one case still remains to be discussed. It is a case which had hardly ever been discussed by theologians at the date of Parker's consecration, and which remains unsettled still, and practically undebated, since it does not seem ever to have occurred in practice within the Catholic Church. What is to be held in a case in which the consecrating bishop has consecrated for some reason invalidly, and in which the assisting bishops not only laid on their hands, but also recited the whole of a valid 'form' with the principal consecrator, and further had the intention of consecrating independently and not merely of assenting formally to his action? Can it be held, on the analogy of the co-celebration of newly ordained priests with the bishop who has just ordained them, that each or any one of these assistant bishops can ever have himself effected a valid consecration, and so have handed on the Apostolic Succession? That is a question which, as we have said, the Church has never yet decided, because no such question has ever been brought up

for formal adjudication or has ever been generally discussed by theologians. It is therefore still possible to hold as a private opinion that such a consecration might conceivably be valid, but it cannot be said to be so certainly, or even probably, though perhaps a few theologians of the present day would be inclined to favour it, if only it could be proved, or at least presumed, that the assisting bishops had the requisite intention of consecrating independently, which would not normally be the case.

Here then was the only possible second line of defence left to Elizabeth, Parker and Cecil in the difficulty into which they had got themselves, should the facts ever become public property. It was quite clear that Barlow being no bishop, the succession in the direct line had *pro tanto* failed, and that Bonner was so far right in saying that there was 'no lawful bishop in England.' For all the new bishops except Barlow, and of course Scory, had been consecrated by Parker, and so had their succession only from Barlow. Could it be held that the succession had nevertheless been handed on through one or all of the other three bishops who had acted on that memorable occasion? Only, it is clear, if these others, and not Barlow alone, had said the words with the intention of consecrating independently, and had so acted in direct contravention of the rubric. The Register, as we now have it, asserts that this was the case. All four bishops are there definitely asserted to have joined in the laying on of hands, and all four to have recited together the words '*Receive the Holy Ghost,*' etc.; which words in the Book they were using, the Ordinal of Edward VI, are directed to be said by the Archbishop alone. It

follows that the whole stress of maintaining it to be a possible opinion, that Barlow's want of episcopal character was made good by the co-operation of the other three, lies first upon the possibility of proving that to have been a valid 'form' in spite of its having been condemned by the Bull of Leo XIII, and, secondly, upon the trustworthiness of the Register, and upon it alone, for there is no corroborating evidence available from any other source. The other copies which remain at the Record Office or at Corpus Christi College, Cambridge, are merely preliminary drafts made up for the Register itself and have no independent force apart from it. That they are drafts, and not copies as they are usually designated, can easily be shown by noting the corrections which have been made in the form which is now in the Register.¹

Hence it becomes necessary for us, in order to elucidate this point, to make a detailed examination of the Register, and to ask ourselves whether the entry we find there is evidence beyond dispute. The question we have to decide is this: Is it certain that Parker's Register as we know it to-day has not been tampered with and made to give this particular evidence which was not originally there? Is the Register entirely above suspicion?

Such, at any rate, was not the opinion of Cardinal Pitra, the learned Benedictine, in his day perhaps the first authority in Europe in a matter of this kind. He saw the Register in 1852, and expressed the

¹ See Estcourt, *Question of Anglican Ordinations*, pp. 101-9, for a careful discussion of the relations of these various drafts one with another.

verdict that 'it had all the marks of an apocryphal document.'¹ His reasons for this opinion he put into writing, and confided the record to the care of the monks of his own monastery of Solesmes. Unfortunately this record is not now available, not being among the papers at Quarr Abbey, but there is no doubt it is still in existence, and when it is again available it will be interesting to see how far the impressions of the Cardinal coincide with those which are now to be set down.

Archbishop Parker's Register, which as a public record may be seen by any person at Lambeth Palace at any time, is a large leather-covered volume, not a mere collection of parchments bound together like some of those of his predecessors, but a book, made up of some 410 folios of parchment, each folio being a separate skin. It is divided into five parts, Confirmations and Consecrations of Bishops ; Vacations of Dioceses ; Various Commissions ; Visitations ; Collations. In the Archbishop's own lifetime, while these various Registers were in actual use, these separate parts will probably have been separate volumes, or at least not only one volume, and will have been bound together later on, when the second volume was begun, or possibly after the Archbishop's death. On inspection this proves to have been the case. Some of the writing on the outside margins has been cut through (e.g. f. 119, 120) in the process of binding. Apparently the first part—that dealing with the Confirmation and Consecration of Bishops—was on slightly larger parchments than the others, and it has been cut down

¹ *Vie du Cardinal Pitra*, by Abbot Cabrol, p. 145.

to make all uniform. At what date this was done, or whether the volume has been bound more than once, is not of immediate consequence and would need an expert to decide. But there can be no doubt of the main fact that the book has been rebound since the entries were made in it, which, of course, makes it more possible that it may have been in some way tampered with.

Opening the book, we find the first two folios, numbered as such, taken up, the first with a large representation of Parker's arms, and the second with an elaborate title in Gothic letters. These two folios were not originally any part of the Register itself, but have been stuck in since with paste or gum. The date at which this was done is again not of great consequence. Nothing much depends upon this elaborate title. However, it has hitherto always passed as part of the original record and has been reproduced as such again and again, even in facsimile. Its object is certainly to give importance and an antique appearance to the Register that follows, and its wording involves the claim that it is absolutely contemporary with the actual consecration of Parker, since it gives the names of the four bishops engaged in that ceremony with the style which was then theirs, but which ceased to be theirs three days afterwards when Parker proceeded to confirm their elections. It speaks, for instance, of Barlow as 'quondam Bathon et Wellen episcopus *nunc* electus Cicestrien.' Barlow ceased to be properly described as *now* Bishop-elect of Chichester as soon as his election had been confirmed by Parker on December 20. At the same time this false impression of being of the actual date of the consecration is contradicted lower

down, where we are told that Anthony Huse was *then* Principal Registrar. Anthony Huse, as we are told in a more or less contemporary note in ordinary writing on the same page, died in 1560, and Parker himself in 1575. So anyhow it is a clumsy and rather disingenuous piece of work, but it is not otherwise important for our present purpose. It was probably engrossed at the time the book was bound, to serve as an ornamental title. All that we can say for certain is that it is older than 1613, at which date it is quoted by Mason.

The actual Register begins on folio 3. The first part, that of the Confirmations, etc., of Bishops, with which alone we have at present to do, consists of 143 folios, ending on f. 145. This was once a complete and independent book, for the record of the last bishop entered, Bishop Freake of Rochester, in 1572, has been completed elsewhere on another page, namely, on f. 213v, 214 and 214v, at the end of the portion dealing with Vacation of Dioceses.

The record of the actual consecration of Parker does not follow the usual and traditional form. The ordinary form would do little except name the principal bishop and those who assisted him, quote the authority (the *Significavit*) for the consecration and give the witnesses. But in this case this accustomed form is completely lacking, and its place is taken by a quite different document for which there is no precedent in any previous record of a consecration. It is headed *Rituum ac Ceremoniarum ordo in consecrando Reverendissimo in Christo Patre Matthaeo Parker*, etc., and occupies nearly the equivalent of a full folio written on both sides. The ordinary form would occupy about

half a page, so that this document is about a page and a half longer than the usual one. It is a long and discursive account of all that happened on that important occasion, entering into every kind of utterly trivial detail, such as the arrangement and colour of the carpets and the cushions ; the dress of the Archbishop himself and the other assistants, which varied from a sumptuous cope to a plain black cassock ; the doors at which the Archbishop and others went in and out, and so forth. Among all these other details there is recorded incidentally the very important fact—if fact it be—that all four bishops said the words ‘Receive the Holy Ghost,’ etc.

Altogether we could scarcely conceive a document more calculated than this is to arouse suspicions. It is almost inconceivable as the record of a ceremony drawn up at the very time at which it was performed. It reads all the way through as if someone is collecting and setting down on record as much as could still be remembered of a ceremony which had taken place years before. Such a farrago of unimportant details of cushions and carpets ; of north doors and south doors ; of chairs and tables and so forth ; all mixed up with the points that really matter ; is quite unsuitable as the serious record intended for entry in a public Register of a ceremony that had only just taken place. It is far easier to understand, though still somewhat ludicrous, if we can think of it as a document of 1566 rather than of 1559. The vestiarian details, for instance, are quite what we should expect at the later date, but would not have been so likely to be recorded at the earlier. At the same time the description fits into the Register as if it were part of it, it is in the

same handwriting as the rest of the document, and was clearly written by the same hand and approximately at the same time as the rest of the record of the confirmation and consecration to which it belongs.

This same handwriting, clearly an official hand of the right period, continues as we turn over the leaves. There is no change for a period of several years. The Register seems strangely uniform. It is all written, as Lingard once remarked, 'by one hand and with one ink.' He regarded that, strangely enough, as a sign of authenticity, but, surely, it is not thus that Registers are usually written. That it should be all by one hand is not so strange, for it may all be the work of one engrossing clerk, but even then one would expect more variation, a change of ink and of pens, and even the style of handwriting varying a little as the years pass and the separate entries are made. But no, it is all absolutely uniform and without any variation at all. Not until folio 109 does it change, and then at once it is like all other Registers. There is a change of handwriting, and the usual variations characteristic of all Registers occur from that point onward. But up to that point all is uniform—'written in one hand and with one ink'—irresistibly suggesting *the copy of a Register* all engrossed at one time, not a true Register at all. We look at the date at which the change comes. The first entry in the new hand is the record of Hugh Jones, Bishop of Llandaff, May 5, 1566. It is the date of the Bonner trial and of the new Act. There had been no consecration of a bishop for some time, so the last entry in the uniform hand belongs to Richard Cheyney in April 1562. The 'copy' may have been made, if copy only it really is, any time between May

1562 and May 1566. Now 1564 is the date at which the Bonner trial began, and it ended in 1566.

The 'copied' portion of the record occupies, as has been said, 107 folios. The original record, which on this theory has been removed, will have taken the same space within a page or so, on the supposition that the principal or perhaps the only change has been that the strange and unusual account of the consecration has been substituted for the more regular record which was originally there. The portion of the original book which still survives consists of 143 folios, a strange number to make up as a complete book. Add the 107 folios which have been removed, if the present is really but a copy, and we get 250 folios, 500 pages, a much more likely number to have been selected as the original number of which the Register should consist.

On this evidence it is pretty clear what may have been done. When the authorities first became aware of the mistake they had made, the first 107 folios of the original book of 250 folios had already been written on. But the Register of Parker's consecration did not contain the vital fact, or perhaps we had better say the vital statement, for we are not sure it was a fact, that all four bishops said the words as well as laid on their hands. It was absolutely necessary to foist this in somehow. For this purpose the new account was prepared. A copy of it was submitted to Cecil, hence the paper copy in the Record Office; and a copy was engrossed on parchment of the right size for insertion into the Register. Then it was noticed that the statement had been made that the bishops had said the words in Latin. Hence the work had

to be done again, and the rejected copy survives at Corpus Christi College at Cambridge. Next it was decided to make it, not an addition to, but an integral part of the record. But since it was longer than the existing and corresponding record which was to be removed, it was necessary to rewrite the whole record. Otherwise the paging would for all time have given away what had been done. So these 107 folios were removed and the work of rewriting was begun, incorporating this time the spurious record in its place. This would be done without using any more folios than before, if the last folio in the portion thus removed had not been completely covered. Henceforward, except in the uniformity of the writing, the ink and the pen, and in the suspicious character of the interpolated document itself, there would be nothing to tell anyone of the fraud which had been committed, and the important statement about the four bishops would take its place as part of the official record.

But, it may very reasonably be objected, all this is after all merely vague circumstantial evidence, and though it has, taken altogether, a not inconsiderable cumulative force, it is still quite insufficient by itself to convict the authorities of so very serious, and indeed criminal an offence as would be this deliberate falsification of the public records. What is needed, in addition to all this, is some piece of positive evidence, however small, which is absolutely inconsistent with the record as it stands, and cannot possibly have been written at the time at which the records, if they are genuine, must have been committed to writing. Some such small slip, as is well known, is very often to be found in any case where a later writing is passed

off as belonging to an earlier period. Nothing is more difficult than to reconstitute the past and still keep every detail correct. 'Liars,' as the old proverb says, 'need to have good memories.' Almost always they give themselves away by making some slip or perpetrating some inaccuracy. Is there anything of the kind to be found in the document now under suspicion? If there is, the suspicion caused by so much circumstantial evidence is at once much intensified, and the fraud may perhaps thus be brought home to its perpetrators beyond any reasonable doubt.

When we examine the document again from this point of view and test chronologically and in detail every statement it makes, we find that there actually is such an anachronism contained in it; one which would have been impossible in 1559 or 1560, while the event was still recent, but which might easily have been made in 1565 or 1566. Parker is said to have been assisted at the Communion Service by two of his chaplains, Nicholas Bullingham and Edmund Gest, respectively Archdeacons of Lincoln and of Canterbury. Now there is no doubt at all that Gest *was* actually Archdeacon of Canterbury on December 17, 1559. He had been appointed by Elizabeth, *sede vacante*, on October 13, 1559, and held the office by a *Commendam retinere* even after he became Bishop of Rochester the next year. So his claim to the title on the date is quite beyond cavil. But the matter stands far otherwise with Nicholas Bullingham. This statement in his case has been a constant difficulty to his biographers. For nothing can be more clear than that on December 17, 1559, he was *not* Archdeacon of Lincoln and had not been so for many years. He had held the arch-

deaconry in question, it is quite true, in the time of Edward VI, just as Parker had held the deanery of the same Cathedral, but both had been deprived six years before, on the accession of Queen Mary.¹ Bullingham had no more right to be styled Archdeacon of Lincoln in 1559, than Parker had to be styled Dean. He had been succeeded there by Thomas Marshall in 1554, who had held the post till he died in 1558. The archdeaconry was therefore again vacant when he once more returned from beyond seas on the accession of Elizabeth, and Sir F. Ayscough forthwith wrote to Cecil (December 27, 1558) to ask that he might be restored to his former preferment.² However, the position was not in Cecil's power to grant. The right of patronage lay with the Bishop, and the Catholic Bishop Thomas Watson was still in possession of his see and would certainly refuse to appoint Bullingham. Watson forthwith did actually appoint Owen Hodgson, who was installed January 14, 1558-9,³ but only held the archdeaconry for a few months, as he was deprived for refusing the Oath of Supremacy at some time late in 1559, probably by the commission appointed October 20 in that year.

As the see was now vacant by the deprivation of Watson, the archdeaconry remained vacant also, and on December 17 of that year, the date of Parker's consecration, there was no Archdeacon of Lincoln at all. Bullingham is accordingly quite correctly described in the immediately preceding account of Parker's confirmation in the Register, the genuineness of which

¹ Le Neve, *Fasti*, ii. 34, 46.

² *State Papers*, Elizabeth, 1558, p. 118.

³ *Register, Lincoln*, 1558.

there is no reason to doubt, simply as 'Nicholas Bullingham, Doctor of Laws.' He had taken his LL.D. degree at Cambridge on January 16 of that same year.

The next month, January 1559-60, Bullingham was appointed to the bishopric of Lincoln. He obtained the Royal Assent to his election on January 12, and was confirmed on the 18th. At that time, therefore, January 18, his proper style was 'Bishop of Lincoln elect.' That same day, January 18, there was issued to him a licence of *Commendam capere* (not, be it noticed, *retinere* as in Gest's case), conferring upon him the vacant archdeaconry as a fresh appointment. The document may be read in Rymer ('Fœdera,' vol. xv, p. 564). It recites the fact that the archdeaconry was at that moment, *certo et legitimo modo vacantem, et ad nostram Presentationem ratione Vacationis Sedis Episcopalis Lincoln, pleno jure spectantem*. The grant was to be for three years, dating from the time he received the bishopric, that is from the day of his consecration, before which time no *Commendam* was needed or could have force. He resigned the *Commendam* before the three years were fully up, on November 6, 1562, in order to preserve the right of appointment, which would have gone to the Crown had the *Commendam* been allowed to run its full course.¹

It seems, therefore, perfectly clear from these documents that Bullingham was *not* Archdeacon of Lincoln on December 17, 1559, and had not been so for six years past.² Nor could he be so styled on account

¹ See Gibson's *Codex* ii. 915, for the law on this point.

² Each of the records of the first fourteen bishops in Parker's Registers, all contained in the 'copied' portion, refers back to Parker's own consecration as the norm for the ceremonies which followed. The

of the grant in *Commendam*, which was going to be made a month later, for that was made to him only when he was already bishop-elect and only took effect after his consecration. Had he been in any sense archdeacon before this *Commendam* was issued, the document would have been drawn in a different form, as a *Commendam retinere*, not *capere*, allowing him to *retain* a preferment he already held. Such a grant was actually issued only a fortnight earlier to the new Bishop of St. Asaph, Richard Davis, allowing him to retain his prebend in the Cathedral of St. Asaph, which would otherwise have been voided by his consecration. The language in this case is quite different. It runs

terms are ‘adhibitis ceremoniis juxta formam descriptam in Acta consecrationis ipsius Reverendissimi patris.’ The credit due to these entries depends, of course, entirely on the credit assigned to Parker’s own record. Each of the first six also names Bullingham as Archdeacon of Lincoln, and as taking part in the ceremony. In each of these six Bullingham also appears as the Commissary presiding at the confirmation, but here he is always only Dr. Bullingham, even when his fellow Commissary, Dr. May, is given his full title as Dean of St. Paul’s. The seventh entry is Bullingham’s own confirmation and consecration to Lincoln, and here there is no reference to any archdeaconry at all in either part. He is throughout ‘Nicholas Bullingham, Doctor of Laws.’ So again in all the State documents for his consecration, the *Congé d’élire*, the Royal Assent. There does not appear in fact to be any trace whatever of his holding the archdeaconry, or of his having been styled Archdeacon, in any document whatever, State or ecclesiastical, provincial or diocesan, except only and precisely in these seven accounts of consecrations which are each and all of them already under suspicion as being not contemporary entries but later additions made for a purpose. The Episcopal and Archidiaconal Registers at Lincoln, if carefully examined, would probably put the matter beyond doubt. If he was really in any sense Archdeacon at the time in question, it should certainly be possible to prove the fact from them.

thus : *Concedimus . . . Prebendam . . . quam idem Ricardus canonice et legitime adeptus est et adhuc canonice possidet . . . quinquennium retinere*, etc. A comparison of the two documents, which almost follow one another in Rymer, makes it clear beyond all doubt that Bullingham was not Archdeacon of Lincoln on December 17, 1559 ; and that no one writing at that time could possibly have called him so. He was only plain Dr. Bullingham, and remained so until, a month later, he became Bishop of Lincoln. Never for one single moment after 1553 was his proper style Archdeacon of Lincoln, and certainly it was not so in December 1559 ; but on the other hand, anyone writing a little carelessly five or six years afterwards, remembering only a little vaguely that he had certainly been Archdeacon of Lincoln at one time, and that he was restored to the enjoyment of the revenues of the same about the date in question, might very easily have fallen into the blunder.

This error seems to provide the necessary additional evidence to stamp the account of Parker's consecration in the Register, already on so many grounds lying under suspicion, as being simply a forgery, foisted into the position it now occupies. Since the object of the forgery seems likely to have been to insert the statement, till then absent from the record, that all four bishops said the words as well as laid on hands—for no other object can easily be suggested, and this was clearly urgently pressing—it is not difficult to see how much, or how little, credence that statement should still retain. Whether all four bishops did actually say the words must remain uncertain. All that we can say is that there is no evidence for it, for

the Register in its present state clearly proves nothing. If it is to be used as the sole and sufficient evidence for so important a statement, it needs first a very great deal of rehabilitation, made as the result of an even more close and detailed examination than that which we have been able to give to it.

CHAPTER VII

THE DESTRUCTION OF THE DOCUMENTS

By the passage through Parliament of the 'Act declaring the making and consecrating of the archbishops and bishops of this realm to be good, lawful and perfect,' the legal position of the bishops had been secured, though at the price of great humiliation. Still an even greater humiliation had been avoided, and the facts about Parker's consecration had been kept secret. As things now were, it was only the Government who knew the real facts. Bonner did not know ; the Catholic controversialists on the Continent did not know ; the English people did not know, but the Government knew. The Queen knew, Cecil knew, Parker knew—at least it seems impossible to suppose that they did not know. The secret lay open to anyone who could examine the public records. What course should they adopt ? We have no evidence whatever on the subject except the state of the records themselves, but *they* are eloquent enough, and seem to leave no doubt as to what was done. We now go on to examine their evidence in detail.

The reign of Henry VIII was a period of intense legal activity and accuracy. The documents of the time are well kept and their phraseology is scrupulously

exact. Any defect in the records of this period has an importance, therefore, which it would not have in a more troubled time such as that of the Civil Wars a hundred years later.

Let us first take the Diocesan Episcopal Registers of Canterbury province, for the years which are important for our inquiry, namely from 1533 to 1555, and see how far they are perfect. It will give us a good idea how matters stand with such records as are in ecclesiastical custody.

CANTERBURY . .	perfect
CHICHESTER . .	perfect
COVENTRY . .	perfect
ELY . . .	perfect
EXETER . . .	perfect
HEREFORD . .	perfect
LINCOLN . . .	perfect
LONDON . . .	perfect
NORWICH . . .	perfect
ROCHESTER . .	perfect
SALISBURY . .	perfect
WINCHESTER . .	perfect
WORCESTER . .	perfect
BANGOR . . .	perfect
LLANDAFF . .	begin only in 1619
ST. ASAPH . .	begin in 1538, perfect from that date
ST. DAVID'S ¹ . .	missing from 1518-1554
BATH AND WELLS .	perfect except 1548 to 1553

¹ The second extant volume of St. David's Register is wrongly marked on the cover as beginning 1534, and is generally so quoted. On examination it proves to begin only in 1554.

Leaving Llandaff out of the question, everything else is perfect all through the province, with the striking exception of Barlow's three dioceses. Of these St. Asaph begins just two years after Barlow's time, St. David's has a volume missing which includes the whole of Barlow's episcopate, and Bath and Wells has precisely Barlow's volume missing and nothing else.

We turn next to the minor ecclesiastical records which are connected with the case, to see how the matter stands with them.

St. Asaph Chapter Records—missing for Barlow's years.

St. David's Chapter Records—missing for Barlow's years.

Bath and Wells Chapter Records—missing for Barlow's years.

Dean and Chapter of Canterbury's Register—mutilated just at the place where Barlow's entry should be, otherwise perfect.¹

Archdeacon of Canterbury's Register—mutilated just at the place where Barlow's entry should be, otherwise perfect.

Here again we seem to have the same story. Such a singular coincidence as the absence of all these documents for the crucial dates can hardly be due to mere accident. Let us see next how matters stand with the State records. The Patent Rolls should

¹ This Register was long supposed to be missing for the years in question, and was so returned in the Reports of the Hist. MSS. Commission. It has, however, been found, in a very bad condition and badly burnt, but is apparently mutilated at the crucial page or pages.

contain copies of the *Congé d'élire*, the Royal Assent, the *Significavit*, if it was ever issued, and any and every Grant of the Temporalities, whether it be the ordinary Restitution or take any exceptional form.

For St. Asaph we have the *Congé d'élire* and the Royal Assent, and these were the only two documents issued under the Great Seal for that diocese. But for St. David's we have nothing at all on these Rolls. There is no *Congé d'élire*, no Royal Assent, and no Grant of Custody of the Temporalities, although we know that all these were issued and ought to be there. Of course there is no *Significavit*, that has been said already. We know the terms of the Royal Assent, because we have the Signed Bill which orders its issue, and it is also copied into Cranmer's Register as the authority for the confirmation. So, too, we know the terms of the Grant of Custody, because we have the Privy Seal which was the authority for its issue, and because it was also copied, very exceptionally, no doubt because of its unusual form and validity for a whole lifetime, on to the Rolls of the Lord Treasurer's Remembrancer in the Exchequer. No other similar grant is copied there, which shows the impression that its extraordinary wording made upon the Exchequer officials. The terms of the *Congé d'élire* we do not know, because the records of the Chapter of St. David's, which is the only other place we should expect to find it, are also missing. But the important point for the moment is this, that all these three documents ought undoubtedly to be enrolled on the Patent Rolls for 27 or 28 Henry VIII and that not one of them is there.

The minutes of the Privy Council might give us much help, but as usual they are missing in every case

for the critical periods. For the time of Barlow's appointment, 1535, we have nothing, for the records only begin again after a silence of 100 years in 1540. Before that we have only 'a few original Minutes Ordinances and Letters which have survived.'¹ The record begins again in August 1540, and on September 29 of that year we find that a commission was appointed 'to examine what jewels plate and ornaments be embezzled from the shrine of St. David's by whom and to what value.' We have not the report of the Commission, so we do not know how far Barlow was involved.

When we come to the next crucial period, the first and second years of Elizabeth, we find the same thing. From May 1559 to May 1562 'the Register is unfortunately missing.'² So we can get no information about the institution of the new hierarchy from this source. We look next for the period of the Bonner trial 1564-6. The record is missing from May 28, 1564, to August 7, 1564, and again from October 2 to November 4 in that year, and once more between December 31, 1565, and October 8, 1566. The oath was tendered to Bonner on April 26, 1564. His trial was 'set for Michaelmas term' and therefore probably took place in October 1564. The preparation of the new Act 'declaring the making and consecrating of the archbishops and bishops of this realm to be good, lawful and perfect' was the period before September 29, 1566. The coincidence of dates is remarkable.

There are two other documents of much less

¹ *Proceedings of the Privy Council*, edited for the Commissioners of Public Records by Sir Harris Nicolas, vol. vii. Preface, p. i.

² *Acts of the Privy Council*, edited by J. R. Dasent, vol. vii. p. xvi.

importance which ought to be forthcoming, and might conceivably be of use. The first is Barlow's resignation into the King's hands of Bisham Priory in July 1536. The original ought to be among the records of the Court of Augmentations, but it is missing, though almost all similar documents are there extant. A copy of it, however, exists on the Close Rolls (28 Henry VIII, pt. 2, m. 59). It is only of interest for our present purpose on account of its description of Barlow, who appears as 'Bishop of St. David's' and 'prior commendatarius perpetuus' of Bisham. It is dated July 5, 1536, and is therefore proof positive, if any additional proof was needed, that at that date he was passing as full bishop and not bishop-elect. It is more or less an accident that we know this, as the original document is missing, and by no means all similar documents were copied on the Close Rolls. In this case it very likely was copied because the King was going to refound the priory as a Benedictine abbey, so it was especially necessary to preserve evidence of its surrender. The other document which it is worth our while to look for is the 'Parliament Pawn' for the Parliament in which Barlow first took his seat. These 'Parliament Pawns' are the memoranda used in the sending out of the Writs of Summons to a new Parliament, and they often contain short notes which may be of interest. It would be possible, therefore, that we might find some note which would throw light on the question why Barlow was summoned in April 1536 as full Bishop of St. David's, instead of Bishop-elect, which was the title he was really entitled to at that moment. But here again we shall find that someone has been before us. The

'Pawns' for this particular Parliament are missing, though earlier ones are in existence. The State records have given precisely the same result as the ecclesiastical. Someone in a sufficiently powerful position to do so seems to have gone over the whole field with great thoroughness and to have removed every record bearing upon Barlow's case.

Let us go back to the Patent Rolls. It is quite impossible to suppose that Barlow's documents were never entered there. If we were to grant, for the sake of argument, that this may have been so with the *Congé d'élire* and the Royal Assent, at least it cannot possibly be true of the Grant of Custody of Temporalities. There is no instance of the period where such a grant has been left unentered. Barlow himself will have been sure to see that it was duly enrolled, for otherwise, if he lost the original document, there might easily be grave difficulties affecting his administration of the episcopal properties. The Patent Rolls would be the primary proof in a Court of Law of the extent and validity of the grant that had been made.

Now in some of the other cases we have considered it would be easy enough to remove a document. If the document is on a separate piece of parchment or forms a separate volume it is easy to abstract it. But in the case of the Rolls it would be necessary to mutilate the Roll itself. These Rolls are made up of a series of membranes, fastened together, the top of each to the bottom of the next, and thus making a long strip, perhaps sixty to a hundred feet in length, rolled up, as the name denotes, into a cylinder. To remove a document which has once been enrolled involves

the cutting and mutilation of the entire Roll, while even if such an attempt should be made, the fact that the Roll is written on both sides would render it comparatively easy to detect the fraud. For it will very rarely happen that deeds will commence on each side at exactly the same place.

To the Record Office, therefore, the present writer went, determined to examine the Rolls for 1536 as minutely as possible, and confident that there must be some trace of a mutilation which would show that the Grant of Custody, and most probably Barlow's other documents, had been removed. He mentioned what he was going to do to the officials in charge of the Search Room, but received little encouragement from them. 'How was it possible,' they asked, 'for anyone to have got at the Patent Rolls at any time? They had always been carefully kept, as so much depended upon them, and had always been in safe custody. They were perfect, it was believed, from the time of King John, the oldest and best preserved of all our records.' They felt obviously that it was a waste of time to search them for such a purpose, and that there was no chance of any such discovery. In spite of all that they said the search began.

As documents were not entered on the Rolls in any strict chronological order but only according to the regnal years, it became necessary to search the whole of the Rolls for 28 Henry VIII. One could not turn to the months of June and July, and thereby lessen the labour of searching. Fortunately it was not a year of many grants, and the whole is included in two Rolls.

It was not long before the expected discovery was

made. In the second Roll two membranes which are joined together obviously do not fit. There has been interference of some kind. As the judgment of an expert seemed to be needed, the Roll was at once submitted to one of the officials of the Record Office, and he very kindly wrote the following report upon it.

Patent Roll 670

(28 Henry VIII, part 2).

'Membrane 20 of this Roll (in the old numeration ; in the later numeration *m.* 13) shows signs of very unusual dealing. At the top it gives the end of a quite ordinary grant dated July 18th. This is cancelled in the ordinary way by crossed lines. The preceding membrane, however, does not give the rest (the beginning) of the same grant. The inference seems to be that either before or after the make-up of the Roll (probably after) the preceding membrane or membranes was or were removed and another or others substituted. It does not seem probable that the cause for this action was the grant of which a fragment has remained, otherwise cancellation in the ordinary form would have been applied to the whole of it as it has been to the part ; and indeed the mere fact of removal appears to argue some very special and unusual case.

'It is possible that the partly remaining grant, if it could be traced either elsewhere on the Roll or among the original warrants, might throw light (either by its nature or its length) on the question how much was cut out and why.'

It is impossible to say how many membranes have been removed, since it was done before they were numbered. But it is unlikely that Barlow's three documents will all have been on the same membrane, and so it may have been necessary to remove three. If so the records of many other documents will have been removed with them, and we may have the explanation why, for instance, Sampson's *Significavit* and Rugge's (or Repp's) Royal Assent and *Significavit* are all missing. Presumably they were on one or other of these membranes, and their removal was, so far, accidental, but the loss in their case is of no consequence as copies exist elsewhere.

This completes the evidence about Barlow's documents. Wherever we turn, whether to his own episcopal records, or to the other ecclesiastical records which would contain entries which concern him, or to the records of the State, we find the same condition of affairs. Someone has been before us and has removed every record which could throw any light upon the question of his consecration. Our next task must be to find out who was responsible for these mutilations and abstractions.

It has sometimes been said that the loss of Barlow's Register at St. David's is accounted for by the action of his successor, Bishop Ferrar, in burning the records there. But the books which Ferrar burnt were the Missals and other Catholic service books, in the calendars of some of which the dates of certain events were said to be entered.¹ He is not recorded to have

¹ See Estcourt, *Question of Anglican Ordinations*, p. 80, and Appendix xxviii. The original paper is among Wharton's MSS. at Lambeth, No. 585, fol. 239.

meddled with the Registers, and that in fact he did not do so is shown by the existence of a Register of earlier date. It is only Barlow's Register, or rather the volume in which Barlow's Register was contained, which has disappeared. The others are still extant.

Nor can we throw the blame on Queen Mary, as Archbishop Wake tries to do in his letter to le Courayer.¹ He was clearly aware, through some Lambeth tradition, that some interference with the documents had taken place. But Queen Mary could not know that Barlow would consecrate Parker after her death, and apart from that fact there was no conceivable reason why Barlow's papers should interest anybody. It is clearly Barlow's records that have primarily been tampered with, and therefore the person who did it must have been interested in Barlow and in no one else, and the interference must have been later than 1559.

From the Patent Rolls we can learn that the mutilation there must be anterior to the earlier of the two numerations of the membranes. There does not seem to be any record in existence as to the date of this numeration, but the figures seem not later than about 1620, though any argument based only on the shape of Arabic numerals is rather precarious. We come, then, to this conclusion. Barlow's documents could have been of no interest to anyone before 1559, for his sole importance arises from his having consecrated Parker. The mutilation, therefore, must have occurred between 1559 and, say, 1620. It can only have been done by the highest authority, for who else

¹ le Courayer, *Dissertation, etc.*, p. 349.

could have access both to the State Records and to the Ecclesiastical? It does not seem possible to suggest any other moment at which it is so likely to have happened as that which we have already put forward—the period of Bishop Bonner's trial—nor any other hand which could have carried it through except that of the Supreme Governor and her utterly unscrupulous minister, William Cecil. The only possible alternative would be the year 1614 or thereabouts, of which we shall say something directly.

It may be, also, that we have in this mutilation of the records the explanation of the gaps in Cranmer's Register. If it was determined to cover up the tell-tale absence of any record of Barlow's consecration by abstracting other records from that Register so that he should no longer stand alone in this respect, there can have been no difficulty in so doing. That Register was a mere collection of loose parchments, each bishop's record being generally recorded on a separate piece of four or six leaves. The binding of them into a single volume is of much later date. It was only necessary, therefore, to remove any documents that were desired, and no trace would be left behind. No great harm has been done by the abstraction, if abstraction there was, for the Archbishop's Register, as we have said, is only one of very many ways in which a consecration can be proved. But considering the careful way in which the surviving records prove to have been drawn up, it seems much more likely that a thief has been at work, than that Cranmer's registrars should have been so careless in their work as is generally supposed.

In one point, indeed, the thieves seem to have

over-reached themselves. There seems to be one record, and one only, missing from Warham's Register, and it may very likely have been stolen at the same time. It is that of Stephen Gardiner. The controversial advantage of being able to retort on those who attacked the position of Barlow, that Gardiner himself was in no better case, is obvious enough, and it was at once made use of by Mason when the suggestion was first made that perhaps Barlow had never been consecrated. But the argument seems *too* convenient, and to some at least it will seem to increase the probability that this absence of records is due to fraud and not to mere carelessness of a registrar.

There is, of course, no proof that these records have been destroyed. They have been removed from their proper custodians, that is all that we can say. It may be that they still exist hidden away in some forgotten receptacle—at Hatfield or at Lambeth, or somewhere else,—and will some day be discovered and brought to light. A writer in *Baconiana*, the Journal of the Bacon Society, some years ago stated that 'there is a sealed bag in the Record Office, which was sealed up at the death of Queen Elizabeth, and is only to be opened by the joint consent of the reigning sovereign, the Archbishop of Canterbury and the Lord Chancellor.' If there should be any truth in this rather improbable-sounding story, the missing documents may very well be there. But perhaps on the whole it is more likely that Elizabeth and Cecil did their work with Tudor thoroughness, acting on the principle that 'dead men tell no tales,' and committed the whole collection to the flames. It did not occur to them that the records would ever be opened to public

search, and that many of the documents they were destroying could be found copied in other places. They forgot that they had still left in existence these other proofs of a fact, the memory of which they thought they were hiding up effectually, never again to be revealed to anybody until the end of time itself.

The period of the Bonner trial and its consequent disclosures seems by far the most likely date for the collection of the ecclesiastical documents, but there is some reason to think that the mutilation of the Patent Rolls ought to be assigned to a later date. Francis Mason, as has been already said, published a deliberately shortened and misleading copy of Barlow's Grant of Custody of the Temporalities of St. David's in his book on the 'Consecration of Bishops in the Church of England,' which came out in 1613. He gives as his reference for this mutilated document, 'the Rolls Chapel,' which would imply that it was still at that date to be found on the Patent Rolls. The Roll of the King's Treasurer's Remembrancer, on which Estcourt found the document in 1870, is an exchequer document, and would not have been in the Rolls Chapel in 1613. Since that date we have also been given access to the Privy Seal, the original authority, that is, for the issue of the document in question, which is consequently now extant in two places. But this again would not have been at the Rolls Chapel in 1613, and it is very unlikely that Mason ever saw either of these two copies which are now known to exist. If his reference is correct and it was really from the Patent Rolls that he took it, it follows that the mutilation through which it has been removed must have taken place at a later date than 1613. It cannot have

been much later, because the figures of the numeration, which are later than the mutilation, are themselves apparently at latest early seventeenth century. The simplest explanation of all the available facts would seem to be that Mason found the document in its proper place on the Patent Rolls and realised its force as the clearest possible proof that Barlow's consecration had never been even contemplated. He then published a garbled form, so arranged as to give a completely false idea of the real nature of the document, and then persuaded the authorities to mutilate the Roll, so that none might ever know the actual character of the grant in question, or draw from it the inevitable conclusions. In this deception he was completely successful for more than 250 years, until his labours were rendered nugatory by the throwing open of the records.

CHAPTER VIII

THE FIFTY YEARS' SILENCE

THE difficulties in which the Government was finding itself in consequence of Bonner's plea that Horne was no legal Bishop of Winchester were, of course, obvious to everyone, even before the desperate remedy of the new Act had been carried through. Exactly what the difficulty was no one knew, but few can have been satisfied to believe that there was nothing more in the matter than the mere fact, as alleged in the Act, that the Ordinal used had never received formal parliamentary sanction.

Precisely what had happened at Parker's consecration, who had been the officiating bishops, and what the exact form of service employed, seems to have been kept a secret from the very first. There was quite enough irregularity in the fact that no single bishop actually in possession of a diocese in England took part in the consecration, and in the doubtful legality of the Ordinal of Edward VI, to make it desirable to keep the matter as much in the background as possible, and consequently it is probable that very few, even in those circles where one would have expected a full and exact knowledge, had any real certainty as to what had happened. This seems

clear from the ignorance displayed by the leading Catholic controversialists on the Continent. They had been for the most part Oxford men, holding high positions in various colleges, and especially at New College, and also in many cases canonries and other preferments in various cathedral bodies. None of them had been deprived until a month or two before Parker's consecration, and in some cases they had remained in England till long after that event. They would have known or been able to find out everything, if the facts had been generally known in Oxford common rooms or in cathedral closes. Harding, for instance, had been Fellow of New College and nominated Warden and was also Prebendary of Winchester and Treasurer of Salisbury. Stapleton, too, 'the most learned Roman Catholic of all his time,' had been Fellow of New College and Prebendary of Barlow's own Cathedral of Chichester, and did not leave England until 1563. Allen was Principal of St. Mary Hall and held a canonry at York. He only resigned his Principalship in 1560, and left England in 1561. Bristowe, Fellow of Exeter, and Campion, Fellow of St. John's, were still at Oxford as late as 1568. John Bridgwater held the Rectorship of Lincoln College ten years later still, up to 1578. It is clear that such men must have known or could have found out all that was allowed to become public property, and yet from their writings we find that they were in absolute darkness as to what had really happened. It explains the purpose of that strange selection of the hour for the consecration, at five or six o'clock on a December morning, with practically no one except officials present, not with 'thousands of spectators' as Bramhall

surmises, but only, in the words of the Register, *in presentia nonnullorum aliorum* ('in the presence of some others'). It explains why Stowe knew nothing of the consecration, and has not recorded even the bare fact. Not one of the foreign ambassadors said a word about it in their reports. Machyn¹ knew; probably he had something to do with the carpets and the cushions and so forth, for that was more or less his business; but his is the solitary mention which has come to us from any outside source. From the first the whole affair had been a secret; and a secret it was to be far more than before, and for much weightier reasons than ever, for full fifty years to come. This silence is so marked and so invariable; unbroken on any single occasion for all those years; even when the exigencies of controversy seemed to make speech inevitable; that it is impossible to think it due to anything less than a stringent command from the Supreme Governor herself. After all there was reason. She had apparently caused the Register at Lambeth to be rewritten and falsified. She had destroyed all the documents from which information could be gathered. Yet the danger was not over. None could say who might not be in possession of the facts about Barlow from personal knowledge, and might carry that knowledge, if he once realised its importance, to Louvain or to Douay. The only safe way was silence, and that for years to come; silence as to who had consecrated Parker, and silence also about the Register from which the facts could be at any moment ascertained.

How rigid that silence was will best be realised

¹ *Diary*, p. 220.

from a study of the controversies of those years. Controversy in those days was a leisurely affair carried on by a series of pamphlets or even volumes, and lasting over a whole course of years. We will take two of the most notable : the controversy of Harding with Jewel, Bishop of Salisbury, and that of Stapleton with Fulke, Master of Pembroke Hall at Cambridge. The point to notice is the absolute refusal, under whatever provocation, to give the names of the consecrators of Archbishop Parker, or to appeal to any Register.

HARDING¹ : ' You bear yourself as though you were Bishop of Salisbury. But how can you prove your vocation ? . . . Who hath called you ? Who hath laid hands on you ? By what example hath he done it ? How and by whom are you consecrated ? Who hath sent you ? Who hath committed to you the office you take upon you ? Be you a priest or be you not ? If you be not, how dare you usurp the name and office of a Bishop ? If you be, tell us who gave you Orders ? The institution of a priest was never yet but in the power of a Bishop. Bishops have always, after the Apostles' times, according to the ecclesiastical canons, been consecrated by three other Bishops, with the consent of the Metropolitan and confirmation of the Bishop of Rome.'

JEWEL² : ' We deny not the consecration of three Bishops, we deny not the confirmation of the Metropolitan. We ourselves are so consecrated and confirmed. The matter that lieth between us is this : whether through the whole Church of Christ no man

¹ *Confutation of the Apology*, etc., 1565.

² *Defence of the Apology*, Parker Society, p. 330.

may be allowed for a Bishop without the confirmation of the Pope.'

HARDING¹: 'It remaineth, M. Jewel, you tell us whether your vocation be ordinary or extraordinary. If it be ordinary show us the letters of your orders, at least show us that you have received power to do the office you presume to exercise, by due order of laying on of hands and consecration. But order and consecration you have not. For who could give that to you of all these new ministers, which he hath not himself?'

JEWEL²: 'Whereas it pleaseth you to call for my letters of orders and to demand of me, as by some authority, whether I be a priest or no? what hands were laid over me? and by what order I was made? I answer you: I am a priest, made long sithence by the same order and ordinance and I think also by the same man and the same hands, that you, M. Harding, were made priest by, in the late time of K. Edward the sixth.

'Further, as if you were my Metropolitan, ye demand of me whether I be a Bishop or no? I answer you: I am a Bishop, and that by the force and accustomed canonical election of the whole Chapter of Sarisbury, assembled solemnly together for that purpose.

'Our Bishops are made in form and order, as they have been ever, by free election of the chapters, by consecration of the Archbishop and other three Bishops; and by the admission of the prince.'

HARDING³: 'Ye were made, you say, by the Con-

¹ In Jewel's *Defence of the Apology*, Parker Society, p. 332.

² *Defence of the Apology*, Parker Society, p. 344.

³ *A Detection of Sundry Foul Errors made by M. Jewel* (Louvain, 1568), p. 234.

secration of the Archbishop and other three Bishops. And how I pray you was your Archbishop himself consecrated? What three Bishops in the realm were there to lay hands on him? You have now uttered a worse case for yourselves than was by me before named. For your Metropolitan himself had no lawful consecration.'

To this Jewel makes no reply, though he published another edition in which he answers other points of Harding's.

Next let us see Stapleton's attack and Fulke's answer.

STAPLETON¹: 'The pretended Bishops of Protestants . . . who laid hands over them? Whither went they to be consecrated, seeing that at home there was no number of such as might and would serve their turne?'

Or again in another work²:

'If I should ask M. Horn again, how he can go for a Bishop and write himself the B. of Winchester, being called to that function only by the letters patent of the prince, without due Consecration or imposition of hands by any Bishop or Bishops living . . . neither he nor all his fellows, being all unordered prelates, shall ever be able to make any sufficient or reasonable answer (answering as Christian Catholike men) whereby it may appear that they may go for right Bishops of Christes Church; but that they must remain, as they were before, or mere laymen, or simple priestes.'

¹ *Fortresse of the Faith* (Antwerp, 1565), pp. 141-4.

² *A Counterblast to M. Horne's Vague Blaste against M. Fekenham* (Louvain, 1567), p. 458.

FULKE¹: 'Where he saith, that when all the Popish Bishops were deposed there was none to lay hands on the Bishops that should be newly consecrated it is utterly false; for there was one of the popish Bishops that continued in his place; there were also divers that were consecrated Bishops in King Edward's time.'

Here it is worth noting how carefully Fulke, who must have known the facts perfectly well, draws a 'red herring' across the path to lead attention away from Barlow. 'There was one of the popish Bishops,' that is, Kitchin; 'there were also Bishops consecrated in King Edward's time,' these are Scory and Coverdale; but Barlow is carefully left out.

When, a few years later, Bristow returned to the question again and Fulke was appointed to answer him, he makes no attempt at defence at all, but takes refuge in simple abuse, 'With all our heart we abhorre, defye, detest and spit at your stinking greasie anti-christian orders.'² After that there was obviously nothing more to be said.

So we might go on, but it shall suffice only to take a single instance more. Godwin, Bishop of Llandaff, in compiling his 'Catalogue of the Bishops of England,' must have referred continually to the Registers at Lambeth. His painstaking and laborious work could not have been compiled without perpetual reference to all such sources of information. Yet in his first edition, published in 1601, although he gives the date of Parker's consecration quite correctly as December 17, 1559, he does not give the smallest hint

¹ Stapleton's *Fortresse Overthrown*, p. 117 (Parker Society).

² *A Retentive to Stay*, etc. (London, 1580), p. 69.

as to who his consecrators were. The secret still holds. In his second edition, published in 1615, the information is inserted. The period of secrecy has come to an end. Barlow has been dead for forty-seven years, and no living man can still have anything to tell about his earlier years. So it is thought safe to give the name.

The long silence had actually been broken in 1614, a little before the publication of Godwin's second edition. The renewed attacks of Catholic controversialists, still left without any definite knowledge after all these years, caused Archbishop Abbot to determine to give the information at last. He sent for four Catholic priests, two seculars and two Jesuits, who were then in prison for their religion, and produced the Register before them. The Catholic and Protestant accounts differ considerably as to the effect that was produced and the opinions that were expressed. What it was is after all of no great importance. They were taken by surprise, and were also probably of no great skill in such matters. They may have expressed one opinion at the time, and come to another after talking it over together afterwards. It matters but little. We can form our own opinion on the Register to-day, and can examine it under more satisfactory conditions. The important point is that by this dramatic act the long silence was at length broken, the well-kept secret as to the actual consecration of Archbishop Parker was at last divulged, the existence of the Register was made public and it was appealed to as the real authority by which the question at issue might be settled. The question inevitably asked then, as now, was, Why was this not done long ago? Why,

if all was in order and could be submitted to scrutiny, this long silence of fifty years, which had been the parent in turn of so many wild rumours and improbable stories, including that of the 'Nag's Head' which had been current for so many years? This story is told in several different forms but the main point in all is the same, that the newly elected bishops were gathered together at the Nag's Head Tavern in Cheapside, and that there Scory 'with a Bible in his hand, and they all kneeling before him, laid it upon every one of their heads or shoulders, saying "Take thou authority to preach the word of God sincerely"; and so they rose up bishops.' Only the long silence and mystery which was made about the real facts could ever have got credence for a story so obviously childish. It must have had some origin, for it is not like a mere malicious invention, and it is likely enough that there was some gathering at this tavern, perhaps after the confirmation of the election of the new prelates at Bow Church almost adjoining, and that after dinner some horseplay and travesty of the ceremony of consecration took place and was witnessed by Catholic attendants. Scory at least was quite likely to have got merry with wine and to have acted in this kind of way. The story had a much greater influence than it deserved, just because no real information could be got by anyone, and people were consequently ready to believe anything, no matter how impossible or absurd.

Before the Register was actually shown by Archbishop Abbot in May 1614, its existence had been made known to the world by Francis Mason, in his book 'The Consecration of the Bishops in the Church of England,' etc., which was published in 1613. In

a long dialogue, 'Orthodox' maintains the Anglican position against 'Philodox.' When he comes to the crucial point of the consecration of Parker (p. 127), 'Orthodox,' 'to take away all scruple,' promises 'to faithfully deliver out of Authentically records, both the day when he was consecrated and the persons by whom.' With the reference at the side *Ex Registro Matth. Park.* tom. i. f. 2 and 10, and in form as if it were a transcript, which of course it is not, he quotes :

'Anno 1559 Matth. Park.	{ William Barlow. John Scorie. Miles Coverdale. John Hodgeskins.'
Cant. Cons. 17 Decemb. by	

Philodox replies : 'If all this were granted yet it were nothing unless you could justify the consecration of his consecrators, therefore you must tell me when they were made Bishops.'

Orthodox : 'Two of them in the reign of King Henry 8 and two in the reign of King Edward the sixth. In the reign of King Henry 8, Barlow and the Suffragan of Bedford. Bishop Barlow was a man of singular note . . . who was advanced to be Prior of Bisham and from thence elected to the Bishoprick of Saint Asaph, which election was confirmed 23 Feb. 1535, and soon after it pleased the King to preferre him to the Bishoprick of Saint David's where he continued all the days of King Henry duly discharging all things belonging to the order of a Bishop, even Episcopal consecration as I have already declared out of authentically records. He was also translated by King Edward to the Bishopric of Bath and Wells and by Queen Elizabeth promoted to Chichester. And as he was

generally acknowledged and obeyed as a Bishop in his own nation, so Buchanan relating how King Henry sent him Embassadour into Scotland doth give him his just Episcopal title. Now you told us before out of Sanders that in King Henry's time "none might be acknowledged for a Bishop unless he were consecrated by three, with the consent of the Metropolitan." Wherefore seeing Barlow was so famously and notoriously acknowledged not only in the days of Queen Elizabeth and King Edward, but also in the days of King Henry, it is a clear case that he was so consecrated.'

In side references Mason quotes the Register of Cranmer for the election and confirmation to St. Asaph and to St. David's, but gives no reference whatever for any consecration. Such a halting proof positively asked for a challenge, and promptly received it from Champney and other Catholic controversialists. Mason had, in fact, given the whole case away. It was evident from his words that—what no one had hitherto suspected as far as we can tell—there was no authentic proof of Barlow's consecration to be found. It is from that point that, the fifty years of silence having come to an end, and the name of Parker's consecrator having at last been given to the world, the old myths of the Nag's Head fable and such like were gradually abandoned, and Catholic controversialists more and more fixed on the point of the want of evidence for Barlow's consecration ; a point which has been debated ever since, and towards the solution of which this book may perhaps be of assistance.

It is worth noticing, too, how all the chief Anglican writers in Elizabethan times were careful to leave a

loophole in all that they wrote on episcopal succession to cover the case of an actual break. It certainly suggests that they at least knew how the case stood about Barlow, and realised that although it was necessary for them to defend Episcopacy against the Puritans, it would not do to close the door too rigidly against those who had not been validly and episcopally ordained. Estcourt has treated this point at some length.¹ Here it may be sufficient to quote his summary. 'These writers all agree in one point, and that is, as to a supposed case of necessity. Let us put these words together. Fulke says "where the Church hath been long exiled"; Pilkington, "except some great cause to the contrary"; Whitaker, "when the good of the Church requires"; Hooker, "when the exigence of necessity doth constrain"; "an extraordinary form of ordaining were sufficient," Fulke proceeds; "it may prevent the use of laying on of hands" by Pilkington's admission; "without order ministers may be constituted," is Whitaker's principle; "the ordinary institution of God may give place," is the exception made by Hooker. Where and when was the necessity? What was the great cause to the contrary?' 'Hooker's words seem even to be an allusion to those used in the Queen's dispensing clause for Parker's consecration, "*temporis ratione et rerum necessitate id postulante*" in the one; "when the exigence of necessity doth constrain" in the other.' Was it perhaps the knowledge of Barlow's lack of consecration which inspired both phrases?

Little more indeed remains to be said, unless it be

¹ *Question of Anglican Ordinations*, pp. 126-130.

to inquire whether any of the principal actors in the drama ever by their later actions shed any further light upon the question.

To Barlow himself the exposure came probably as a relief. All his life he must have lived conscious that he was in danger of such a happening. That Henry VIII was involved and was even the actual cause of the whole affair, would, as he well knew, avail him nothing if it suited that King to call him to account. Under Edward VI he had been, as it seems, obliged to submit to the blackmail of Somerset. But now at last the long-kept secret was out, and yet he was safe, and the secret itself had turned into a valuable possession. He himself did not live long to enjoy it, for he died in 1568, but he left a widow behind with two sons and five daughters. Since he had married only after Henry's death in 1546, these were as yet hardly of marriageable age, and the family circumstances were doubtless somewhat narrow. Yet Mrs. Barlow determined, so the story goes, that she would marry all her daughters to bishops,¹ and she actually succeeded in doing so. Whether we have suggested the right cause or no, the fact remains that any young ecclesiastic who allied himself with one of the Mistresses Barlow found his way to promotion made quick and easy. When Mrs. Barlow followed her lord to their grave in Chichester Cathedral at the ripe age of 90, having survived her husband a quarter of a century, each of her five daughters was safely ensconced in an episcopal palace, and those not the meanest, two of them having married successive Bishops of Winches-

¹ *Dictionary of National Biography*; Overton, Wm., p. 1284.

ter, and one an Archbishop of York. One, for her first husband, had married Matthew Parker, the eldest son of the Archbishop, and only after his death, by a second marriage, had come to her full destiny as a bishop's spouse.

To Parker himself, on the whole the most honest and respectable of the Elizabethan bishops, it must have been abhorrent to be mixed up in the very doubtful proceedings of which we have told. Yet in a matter concerning his own Register it is impossible to conceive him innocent. If there could be any doubt remaining he has destroyed it by his own act, as we shall now go on to tell : an act to which attention has not, so far as we are aware, hitherto been drawn in connection with this controversy. Students of criminal annals have often noted how wrongdoers, except only the most practised and hardened, are almost sure to give themselves away, even in cases where detection would otherwise have been impossible, by some foolish act or needless precaution. They cannot keep away from the scene of their wrongdoing, and their return leads to their conviction. Or, it may be, haunted always by the fear of detection, when they are really perfectly safe, they try to make themselves safer still by some needless precaution, and the precaution, far from helping them, turns out to be the very means by which their crime is brought home.

When Barlow died in 1568 his place was not immediately filled. It was a way of good Queen Bess to keep bishoprics unfilled as long as possible, even for many years together, for while they were thus vacant the whole of their revenues passed to the use of the Crown. But in 1570 the place was filled, after

eighteen months of vacancy, by a safe man, nominated, we may suppose, by Parker himself, his own chaplain, Richard Curteys ; one who had also for some years been Dean of Barlow's own cathedral at Chichester. The fact of its being Barlow's vacancy would inevitably have brought back to Parker's mind the details of his own consecration, and the falsified record which he had placed in his Register. The weak part of that record—it has been charged against it again and again by one writer after another—is that it is absolutely unparalleled by any other similar record in any Register. That objection, he now determined, should no longer apply. He could not create a precedent, and insert a similar description for an earlier bishop, but he could at least provide a parallel, and it should be unique no more.

So there appears once more in the pages of Parker's Register a second account of a consecration which forsakes the routine pattern and launches out into the needless details of the first. It is to be found on folios 125*b* and 126, and is nothing more or less than a replica of the earlier one, written obviously with that one before the compiler's eyes, and following it almost word for word except for the changes which were absolutely necessary. Once again, this time not in Lambeth Chapel but in Canterbury Cathedral itself, the east end is decorated with hangings, and a carpet is laid down on the floor, and a table is brought in (it is interesting to note that in 1570 there was no permanent altar of any sort even in Canterbury Cathedral), and made ready for the ceremony. Then the chairs are placed for the consecrating prelates, Canterbury himself, and the Elect of York, Winchester

and Rochester, and cushions on which they might lean, not forgetting a special cushion for the candidate himself. Then there followed a sermon, rather a better sermon apparently than had been preached at Parker's own consecration, for whereas Scory on that occasion preached *haud ineleganter*, this time the preacher's effort was delivered *eleganter*, without any modifying negatives. Next we have once more a description of the dresses. There are no splendid copes on this occasion, nor any garbed only in black gowns, but Canterbury himself, as all the rest, is merely wearing a linen surplice, *superpelliceo linteo indutus*. Then comes the consecration itself. It follows the account of the earlier ceremony actually word for word. All four prelates impose their hands, and all alike recite the words *Take the Holy Ghost and see thou stir up*, etc. The account ends with a long list of notabilities present, instead of the mere handful who had faced the winter morning cold on the earlier occasion ; with a congregation too *in multitudine copiosa* ; and the ceremony was evidently at a more reasonable hour of the day, for they adjourn to a great feast prepared for them in the palace of the Archbishop. Incidentally, too, we get a clue to the name of the actual compiler of these two strange narratives, for the *Significavit* is read '*per me Johannem Incent notarium publicum.*' John Incent had succeeded Anthony Huse ten years before as Principal Notary to the Archbishop, and he was also present at Parker's own consecration in 1559.

It is strange that Parker should not have realised that such a replica of the earlier document, while it is useless, just because one is so obviously copied from

the other, as evidence to show that such a detailed account was not unparalleled in similar instances, yet gives away the case for all the strange features that the earlier document contains. So long as that remained unique and unparalleled it was possible to account for its unusual form, as manifesting the strong sense of its compiler and of Parker himself, that the ceremony which it commemorated was itself unique and unparalleled—the initiation of a new hierarchy—and deserved more than the usual perfunctory notice. The singular feature, especially, that no one bishop acted alone and exclusively as the consecrator, but that all alike united in the recitation of the words, might be explained, and has been explained ever since, as due to the fact that no archbishop was present, and that all alike were acting in virtue of a Royal mandate, addressed to all of them and making no distinction between them. But in this second case these considerations are entirely absent. Why should the usual form be departed from again in this case, and in this case only? What peculiar importance had this consecration over any other? And most of all, why, when the Metropolitan himself was present, should the plain words of the Rubric and the otherwise invariable custom of the English Church not be followed? As far as we are aware there is no other instance, from the time of the consecration of Parker himself to the present moment, in which it is alleged that any similar exception was made. It is explicable if we consider it as due to Parker's uneasy conscience, and to his desire to produce a parallel for the strangeness of his own record, but it is not easy to suggest any other reason to account for it. And then the question

inevitably follows : Why was Parker uneasy about this particular matter, and why did he want a parallel ? He would have been far wiser, it would seem, to have left it alone, for the general impression it produces is only strongly to confirm the conclusion to which we have already come on other grounds, that the record in question is an interpolation and has no right to occupy the place that it does in the Register.

Lastly, we come to the Supreme Governor herself. Elizabeth was not, it is clear, of a religious turn of mind. The things of the soul meant little to her while her strength and power lasted, and she was not inclined to ally herself unreservedly with either side. Only the force of circumstances and the pressure of the political and personal situation in which she found herself had thrown her into the arms of the Protestant party. But she was herself no Puritan, and had she been free to choose her own path in a lower station of life, would probably have preferred to range herself with the old religion, though assuredly without any great earnestness or depth in her religious life. She was frankly contemptuous of the bishops she had placed in power, and had little or no belief at any time in the new religion she had herself set up. On the other hand, in her better moments she looked back with regret to the Catholic faith. It is not necessary to think of her as wholly false when she swore to her sister Mary that she would preserve the Catholic religion, or when she told the French ambassador that she was as good a Catholic as his master, or when she wearied the Emperor's envoy by telling him again and again that what she really longed for was to go into a convent and be a nun. Rather, these words

expressed her feelings just at the moment—a moment of revulsion from the chaos she had created. Her own inclinations, apart from policy, would probably have been towards the form of Catholicism she had known in her childhood in the days of Henry—Catholicism with the Crown in the place of the Pope ; and it is due after all to her alone and to the strength of these predilections, for her bishops were Calvinists almost to a man, that the Church of England took on and has preserved the mixed characteristics that have marked her ever since.

But in her last hours, when it had become clear even to herself that this world and all that she had sought in it was passing away, and she herself going to stand her trial for all the evil she had wrought, she would fain have turned to religion for consolation, but it was too late. There is scarcely a more terribly sad end to be found in history than was that of the great Queen who had reigned so long, and on the whole so gloriously as far as worldly matters were concerned. One of her ladies, Lady Southwell, who was with her all the time, has left us the account of it.

‘ Now falling into extremity, she sat two days and three nights upon her stool, ready dressed, and could never be brought by any of her council to go to bed, or eat, or drink ; only my lord admiral one time persuaded her to drink some broth. For any of the rest, she would not answer them to any question ; but said softly to my lord admiral’s earnest persuasions, that if he knew what she had seen in her bed he would not persuade her as he did. . . . And presently commanding [Cecil] and the rest to depart her chamber,

she willed my lord admiral to stay ; to whom she shook her head, and with a pitiful voice said, "My lord, I am tied with a chain of iron about my neck." He alleging her wonted courage to her. She replied, "I am tied, and the case is altered with me." ' . . .

' So growing past recovery (having kept her bed fifteen days, besides three days she sat upon her stool, and one day, when being pulled up by force, she stood on her feet fifteen hours) the council sent to her the bishop of Canterbury and other of the prelates, upon sight of whom she was much offended, cholerically rating them, bidding them be packing, saying she was no atheist, but knew full well that they were hedge priests, and took it for an indignity that they should speak to her.' ¹

Certainly no one had better means than had Elizabeth of judging of the character, whether the word is taken in its theological or moral sense, of the prelates she had chosen to set over her Church.

¹ MS. at Stonyhurst, Aug. A., iii. 77. Printed in Tierney's edition of Dodd's *Church History*, iii. 71.

APPENDIX

- I. THE LINE OF EPISCOPAL SUCCESSION IN THE CHURCH OF ENGLAND, THE COLONIES, SCOTLAND, AND AMERICA.
- II. THE LINE OF EPISCOPAL SUCCESSION IN THE PROTESTANT CHURCH OF IRELAND.
- III. THE ECCLESIASTICAL APPOINTMENTS ACT, 25 HENRY VIII, CAP. 20.
- IV. BARLOW'S DOCUMENTS AND WHERE THEY MAY BE FOUND.
- V SOME OF BARLOW'S DOCUMENTS :
 1. *Royal Assent to his election to St. David's. Signed Bill.*
 2. *Cranmer's Letter to the King, announcing Confirmation only and not Consecration.*
 3. *Letters Patent granting Barlow the Custody of the Temporalities of St. David's for life.*
 4. *Warrant from Sir Thomas Cromwell, dated June 12, 1536, in which Barlow is still spoken of as only Bishop Elect.*
 5. *Extracts from the Journals of the House of Lords, 1536.*
 6. *Congé d'élire for Barlow's successor at St. Asaph (Wharton), showing that he was never consecrated to St. Asaph.*
- VI. PARKER'S DOCUMENTS :
 1. *Steps suggested for Parker's Consecration, with Cecil's notes thereon.*
 2. *Order of Rites and Ceremonies observed in the Consecration of Matthew Parker.*

APPENDIX I

THE LINE OF EPISCOPAL SUCCESSION IN THE
CHURCH OF ENGLAND, &C.

EVERY existing bishop in the Church of England and the Colonies has his succession from Archbishop Sumner of Canterbury by one or other of three lines. By far the greater number are of the line Sumner, Tait, Benson, Davidson. There is another line Sumner, Jackson, Temple, Lang. A third is found only in Canada : Sumner, Howley, John Medley of Fredericton.

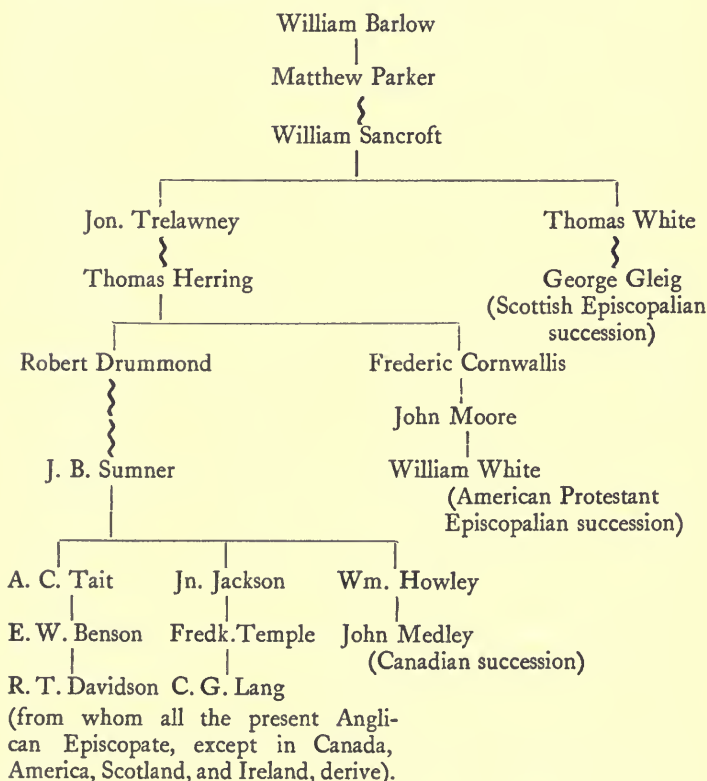
The American Protestant Episcopalian succession comes from William White, Bishop of Pennsylvania. Bishop Seabury, the first Bishop consecrated for America, who had the Scottish succession, has left no representative. White had been consecrated by John Moore of Canterbury. Moore was consecrated in 1775 to Bangor by Frederic Cornwallis of Canterbury, and he in his turn had been consecrated to Lichfield by Thomas Herring. The American succession merges into the English at this point.

The Scottish succession comes from Sancroft of Canterbury, and merges then into the English line. The succession is Sancroft,—Thomas White,—George Hicks,—James Gadderas,—Thomas Rattray,—William Falconer,—Robert Kilgour,—John Skinner,—George Gleig, who was consecrated Bishop of Brechin in 1808. The existing episcopal bench derives from Gleig by various lines. Archbishop Sumner's line of succession is as follows :

Bishop.	Year.	See.	Consecrator.	Consecrator's See.
Sumner, J. B.	1828	Chester	E. Vernon Harcourt	York
Harcourt, E. V.	1790	Carlisle	Wm. Markham	York
Markham, Wm.	1771	Chester	Robert Drummond	York
Drummond, Rt.	1748	St. Asaph	Thomas Herring	Canterbury
Herring, Th.	1738	Bangor	John Potter	Canterbury
Potter, Jn.	1715	Oxford	Jonathan Trelawney	Winchester
Trelawney, Jon.	1685	Bristol	William Sancroft	Canterbury
Sancroft, Wm.	1678	Canterbury	Henry Compton	London
Compton, Henry	1674	Oxford	Gilbert Sheldon	Canterbury
Sheldon, Gilbert	1660	London	Brian Duppa	Winchester

Bishop.	Year.	See.	Consecrator.	Consecrator's See.
Duppa, Brian	1638	Chichester	William Laud	Canterbury
Laud, William	1621	St. David's	George Montaigne	London
Montaigne, Geo.	1617	Lincoln	George Abbot	Canterbury
Abbot, George	1609	Lichfield	Rich. Bancroft	Canterbury
Bancroft, Rich.	1597	London	John Whitgift	Canterbury
Whitgift, John	1577	Worcester	Edm. Grindal	Canterbury
Grindal, Edm.	1559	London	Matt. Parker	Canterbury
Parker, Matth.	1559	Canterbury	William Barlow	?
Barlow, William	?	?	?	?

Put in genealogical form the lines are as follows :



APPENDIX II

THE SUCCESSION OF BISHOPS IN THE PROTESTANT
CHURCH OF IRELAND

THE Irish Protestant succession of bishops is wholly and entirely distinct from that of the Church of England. It will be found that all the existing bishops derive by various lines from Lord John Beresford (1773-1862), who was successively Bishop of Cork and Ross, Bishop of Raphoe, Bishop of Clogher, Archbishop of Dublin, and Archbishop of Armagh and Primate. He held this last see for more than forty years. Tracing the line further back it works out as follows :

Bishop.	Year.	See to which Consecrated.	Consecrator.	Consecrator's See.
Beresford, Lord John	1805	Cork	Ch. Brodrick	Cashel
Brodrick, Ch.	1795	Clonfert	W. Beresford	Tuam
Beresford, W.	1782	Dromore	R. Fowler	Dublin
Fowler, R.	1771	Killaloe	A. Smyth	Dublin
Smyth, A.	1752	Clonfert	J. Ryder	Tuam
Ryder, J.	1741	Killaloe	J. Hoadley	Dublin
Hoadley, J.	1727	Ferns	W. King	Dublin
King, W.	1690	Derry	F. Marsh	Dublin
Marsh, F.	1667	Limerick	T. Price	Cashel
Price, T.	1660	Kildare	J. Bramhall	Armagh
Bramhall, J.	1630	Derry	J. Ussher	Armagh
Ussher, J.	1621	Meath	Chr. Hampton	Armagh
Hampton, Chr.	1613	Armagh	T. Jones	Dublin
Jones, T.	1584	Meath	A. Loftus	Armagh
Loftus, A.	1563	Armagh	Hugh Curwen	Dublin

Hugh Curwen, who had been appointed Archbishop of Dublin by Mary in 1556, was the only one of the Irish bishops who conformed under Elizabeth. He was consecrated by Edmund Bonner of London, who in his turn had been consecrated by Stephen Gardiner. It is from Gardiner and Bonner therefore, oddly enough, that the present Protestant Irish bishops have their legal descent. Hugh Curwen was a man

of no great reputation, a Catholic by inclination, but a ready conformer to the wishes of his superiors in all reigns. He apparently stood with the rest of the Marian Hierarchy in refusing to consecrate Parker, for though we have no evidence that he was ever asked, it would have got the Government out of such a very difficult position had he consented, that one can hardly think he was overlooked. By 1560, however, he seems to have been willing, now Parker and the rest had been consecrated, to provide a similar succession for Ireland. As he stood alone, however, and no other bishop in Ireland was available, the Act 2 Eliz. 1560, cap. 4, s. 2 (Irish), provides that in the case of the consecration of a bishop the *Significavit* should be addressed to the Archbishop, or if the see be vacant, to any other archbishop in Ireland. It was only in the case of archbishops that this Act demanded assistant bishops, in accordance with the general law of the Church. This would, perhaps, have allowed Hugh Curwen to act alone. There are no records of any consecrations at this date, and the whole succession is consequently rather doubtful. But what seems most likely is that Hugh Curwen consecrated Craik to Kildare in 1560 without any other bishop being present, and that he and Craik consecrated Skiddy to Cork in 1562. If so, there would have been the necessary two assistant bishops which the law demanded for the consecration of an archbishop when Loftus was consecrated to Armagh, it is said on March 2, 1563. Letters Patent to this effect were issued by Elizabeth, and were presumably acted upon. But at the same time if it is true that Nehemias Donnellan held the Archbishopric of Tuam for many years without ever receiving any orders at all,¹ it is impossible to feel very confident about what was done in Elizabeth's reign in Ireland, especially when no official records have survived.

¹ Moran, P. F., *Episcopal Succession in Ireland*, p. 33.

APPENDIX III

THE ECCLESIASTICAL APPOINTMENTS ACT,
25 HENRY VIII, CAP. 20

(Transcr. Statutes of the Realm, iii. 462)

archbishops
and Bishops
be elected
the
king's nomi-
nation only.

‘BE it ordained and established by [the king our sovereign lord, by the assent of the Lords spiritual and temporal, and the Commons, in this present Parliament assembled, and by authority of the same] that at every avoidance of every archbishopric or bishopric within this realm, or in any other the king’s dominions, the king our sovereign lord, his heirs and successors, may grant to the prior and convent of the dean and chapter of the cathedral churches or monasteries where the see of such archbishopric or bishopric may happen to be void, a license under the great seal, as of old time has been accustomed, to proceed to election of an archbishop or bishop of the see so being void, with a letter missive, containing the name of the person which they shall elect or choose: by virtue of which license the said dean and chapter or prior and convent, to which any such license and letters missive shall be directed, shall with all speed and celerity in due form elect and choose the said person named in the said letters missive, to the dignity and office of the archbishopric or bishopric so being void, and none other.

default of
election
the King
shall appoint
letters
patent only.

And if they do defer or delay their election above twelve days next after such license and letters missive to them delivered, that then for every such default the king’s highness, his heirs and successors, at their liberty and pleasure shall nominate and present by their letters patent under their great seal such a person to the said office and dignity so being void as they shall think able and convenient for the same.

the person
be known
Bishop
elect.

And that the person so elected [by the dean and chapter or prior and convent], after certification made of the same election under the common and convent seal of the electors

to the king's highness, his heirs and successors, shall be reputed and taken by the name of lord elected of the said dignity and office that he shall be elected unto.

And then making such oath and fealty only to the king's majesty, his heirs and successors, as shall be appointed for the same, the king's highness, by his letters patent under his great seal, shall signify the said election if it be to the dignity of a bishop to the archbishop and metropolitan of the province where the see of the said bishopric was void, if the see of the said archbishop be full and not void; and if it be void, then to any other archbishop within this realm, or in any other the king's dominions; requiring and commanding such archbishop to whom any such signification shall be made, to confirm the said election, and to invest and consecrate the said person so elected to the office and dignity that he is elected unto, and to give and use to him all such benedictions, ceremonies and all things requisite for the same, without any suing procuring or obtaining any bulls, letters or other things from the see of Rome for the same in any behalf. And if the person be elected to the office and dignity of an archbishop according to the tenor of this Act, then after such election certified to the king's highness in form aforesaid, the same person so elected to the office and dignity of an archbishop shall be reputed and taken lord elect to the said office and dignity of archbishop, whereunto he shall be so elected; and then after he has made such oath and fealty only to the king's majesty, his heirs and successors as shall be limited for the same, the king's highness by his letters patent under the great seal shall signify the said election to one archbishop and two other bishops, or else to four bishops within this realm, or within any other the king's dominions, to be assigned by the king's highness, his heirs or successors, requiring and commanding the said archbishop and bishops with all speed and celerity to confirm the said election and to invest and consecrate the said person so elected to the office and dignity that he is elected unto, and to give and use to him such pall, benedictions, ceremonies and all other things requisite for the same, without suing procuring or obtaining

He shall do fealty to the King, who shall thereupon signify his election and confirm it and direct consecration

any bulls, briefs or other things at the said see of Rome or by the authority thereof in any behalf.'

It is further enacted by this Act that any dean and chapter who fail to elect within twenty days of the time the *Congé d'élire* and letters missive reach them, and also any archbishop or bishops who do not, within twenty days after the *Significavit* has reached them, proceed to consecrate, 'shall run into the dangers pains and penalties of the Statute of the Provision and Praemunire, made in the five and twentieth year of the reign of King Edward III, and in the sixteenth year of King Richard II.'

APPENDIX IV

BARLOW'S DOCUMENTS AND WHERE THEY MAY BE FOUND

1. *Congé d'élire* for St. Asaph. Printed in Rymer's 'Fœdera,' xiv. 558, from Pat. H. VIII, p. 1, m. 11 (Record Office). It is the usual form.
2. *Royal Assent* for St. Asaph. Printed in Rymer's 'Fœdera,' xiv. 559, from Pat. H. VIII, p. 2, m. 11 (Record Office). Usual form.
3. *Confirmation* to St. Asaph. In Cranmer's Register at Lambeth, ff. 188a-211a. It is in the usual form.
4. *Cranmer's Letter* to the King reporting the Confirmation. In Cranmer's Register, f. 211a. The usual form where no *Significavit* had been issued.
5. *Congé d'élire* for St. David's. It should be on the Patent Rolls, but is not. The 'Privy Seal' ordering its preparation is extant at the Record Office (March 1536) and is printed by T. A. Lacey, 'A Roman Diary,' p. 109. Usual form.
6. *Royal Assent* for St. David's. It is missing on the Patent Rolls, but the 'Signed Bill' ordering its issue is extant and is printed below, p. 178. It is in the form for a bishop translated.

7. *Confirmation* to St. David's. Printed in T. J. Bailey's 'Ordinum Sacrorum in Eccl. Angl. Defensio,' p. 41, and also by Courayer, Erlington, and Lee, from Cranmer's Register. Barlow is described as 'nuper Episcopus Assavensis et Monasterii de Bisham Commendatarius Perpetuus.' Otherwise all is normal.
8. *Cranmer's Letter* to the King, April 21, 1536. Printed below, p. 178.
9. *Grant of Custody of Temporalities*. It should be on the Patent Rolls, but is missing. It is printed below, p. 179, from the Memoranda Roll of the Lord Treasurer's Remembrancer, 28 H. VIII, Easter term, Roll I, as published by Estcourt, 'Question of Anglican Ordinations,' App. xix. It is full of anomalies.
10. Two letters written by Barlow. The first written in March 1536, and signed Will^m. Barlo, showing that he had not been consecrated to St. Asaph. The second written to Cromwell, May 23, 1536, and signed Will^mus Menev, showing that he was then passing as full Bishop of St. David's. These are in 'Letters and Papers, Henry VIII.'
11. *Congé d'élire* for Barlow's successor to St. Asaph. Printed below, p. 186, from Pat. 28 H. VIII, p. 2, m. 9, in Record Office. The see is said to be vacant *per liberam transmutationem Will. Barlowe ultimi episcopi ibidem electi*, and this form is uniformly kept to in all the documents for this appointment. It proves that Barlow was never consecrated to St. Asaph.
12. Admission to House of Lords. Printed below, p. 185, from the Journals of the House of Lords.
13. Warrant from Cromwell, June 12. Barlow is 'now elect of St. Davyes.' Printed below, p. 184.
14. Resignation of Priory of Bisham. It should be among the Records of the Court of Augmentations, but it is missing. It had been copied, however, on to the Close Rolls, 28 Henry VIII, p. 2, m. 29, where it was found by the present writer.

APPENDIX V

BARLOW'S DOCUMENTS

(1)

Royal Assent to his election to St. David's. Signed Bill, with Henry's signature ordering its issue. Record Office, 'Chancery Warrants,' 28 Henry VIII, Privy Seals Bundle, April 1536.

To the King our Sovereign Lord.

PLEASETH it your highness of your most noble and abundant grace to grant your gracious letters patent under your great seal in due form to be made according to the tenor ensuing.

HENRY R.¹

Rex reverendissimo in Christo patri Thomae Cantuar. archiepiscopo totius Angliae primati salutem. Sciatis quod electioni nuper factae in ecclesia Cathedrali Meneven. per mortem bonae memoriae dom. Richardi Rawlyns ultimi episcopi ibidem vacante de reverendo in Christo patre dom. Willelmo Barlow sacrae theologiae professore tunc episcopo Assaven. et Mon. de Bisham Sarum dioec. commendatorio perpetuo in episcopum loci illius et pastorem regium assensum adhibuimus et favorem, et hoc vobis tenore praesentium significamus ut quod vestrum est in hac parte exequamini. In cujus etc. Teste etc.

(2)

Cranmer's Letter to the King announcing Confirmation only (from Cranmer's Register, fol. 205, Lambeth). [The Latin is printed by T. J. Bailey, 'Ordinum Sacrorum in Eccl. Angl. Defensio,' p. 41.]

To our most gracious Sovereign and Lord in Christ, the Lord Henry VIII, by the grace of God, etc., etc.

WHEREAS we have confirmed the election lately made of the Reverend Father William Barlow, lately Bishop of St. Asaph,

¹ This is Henry's own autograph signature.

and Commendatory Perpetual of the Monastery of Bisham in the diocese of Salisbury, within our province of Canterbury as Bishop and Pastor of the Cathedral Church of St. David's within our province of Canterbury aforesaid, to which you have granted your royal assent and favour in due form of law, justice so requiring, and have performed all else which in the business of the said confirmation are by law required, we therefore by the tenor of these presents signify to your Royal Highness that the said confirmation was and is performed by us as aforesaid; praying that your Majesty may graciously please as heretofore to show your benevolent favour and to perform to do and commend further those things which belong to your Royal Office and Prerogative in their behalf.

In testimony of which our seal is appended to these presents. Dated at our Manor of Lambeth, the 21st day of the month of April, A.D. 1536, and the fourth year of our Consecration.

(3)

Letters Patent granting Barlow the Temporalities of the See of St. David's.

FROM the Memoranda Roll of the Lord Treasurer's Remembrancer, 28 Hen. VIII. Easter term, Roll I. The words contracted are here written at full length, and the spelling partly modernised.

De litteris Dni Regis nunc patentibus Willelmo Barlowe Episcopo Menevensi de custodia temporalium Episcopatus Elien.¹ una cum exitibus et proficuis eorundem temporalium a tempore ultimae vacationis Episcopatus illius usque datum litterarum patentium praedictarum factis et irrotulatis.

Henricus VIII. Rex &c. Omnibus &c.

Sciatis quod cum per mortem Ricardi Rawlyns nuper Episcopi Menevensis Cathedralis Ecclesia Menevensis nuper viduata ac pastoralis solatio fuerit destituta et vacaverit, eoque praetextu omnia exitus et proficua firmae redditus reventiones

¹ *Elien.* is a mistake of the engrossing clerk for *Meneven*.

jura commoditates et emolumenta omnium temporalium Episcopatus illius a tempore mortis praedicti nuper Episcopi durante tempore vacationis Episcopatus illius nobis jure praerogativae nostrae regiae pertinuerunt et spectaverunt ac pertinere et spectare dignoscuntur.

Cumque etiam Praecentor et Capitulum dictae Cathedralis Ecclesiae post mortem praedicti Episcopi licentia nostra inde prius obtenta dilectum et fidelem nostrum Willelmum Barlowe priorem Monasterii sive Prioratus S^{tae} Trinitatis de Bostlesham Mountague Ordinis S^{ti} Augustini in com^{tu} nostro Bukk nunc dictae Ecclesiae Cathedralis Meneven. per nos nominatum Episcopum in suum eligerunt Episcopum et pastorem Reverendissimus in Christo pater Thomas Archiepiscopus Cantuariensis totius Angliae Primatus et Apostolicae Sedis Legatus electionem illam acceptaverit et confirmaverit ipsumque sic electum Episcopum praedictae Ecclesiae Menevensis praefecerit et pastorem sicut per litteras patentes ipsius Archiepiscopi nobis inde directas nobis constat.

Nos nunc certis de causis et considerationibus nos specialiter moventibus et ob sinceram dilectionem quam penes praefatum nunc Episcopum gerimus et habemus de gratia nostra speciali ac ex certa scientia et mero motu nostris dedimus et concessimus ac per praesentes damus et concedimus pro nobis haeredibus et successoribus nostris quantum in nobis est eidem nunc Episcopo omnia et singula exitus firmas redditus proficua &c. quorumcumque temporalium Episcopatus praedicti seu Episcopatui eidem vel temporalibus Episcopatus illius quovismodo pertinentium sive spectantium.

Ac praesentationes nominationes et ordinationes quorumcumque advocationum collationum &c. de advocatione Episcopatus illius quovismodo contingentium sive emergentium per nos ad praesens vel ante praesentem diem durante praedicta vacatione praedicti Episcopatus minime collatas datas sive praesentatas.

Necnon omnimodos fines forisfacturas exitus forisfactos redemptiones et amerciamenta ac etiam omnimodos fines pro licentia concordandi omnium tenentium Episcopatus praedicti residentium sive non residentium infra feoda ejusdem Episcopatus tam integre tenentium quam non integre tenentium

coram quibuscumque justiciariis nostris in quibuscumque curiis nostris factos sive forisfactos tempore vacationis praedictae contingentes licet iidem tenentes sint vel eorum aliquis sit escaetor vicecomes justiciarius noster ad pacem nec alius justiciarius noster constabularius vel alius officarius vel minister noster aut licet hujusmodi tenentes alibi de nobis in capite vel aliter tenuerint aut eorum aliquis tenuerit in tam amplis modo et forma prout praedictus Ricardus Rawlyns nuper Episcopus Meneven : et praedecessores sui nuper Episcopi ibidem sede illa plena per cartas progenitorum nostrorum quondam Regum Angliae vel aliter seu eorum aliquis melius et liberius habuerunt seu perceperunt habuit seu percepit.

Et omnia alia proficua quaecumque omnium et singulorum jurium temporalium Episcopatus praedicti seu eidem Episcopatu quoquomodo sive jure pertinentia appendentia accidentia sive spectantia qualitercumque praevenientia sive emergentia aut in manibus nostris extiterunt seu existere deberent ratione quacumque a festo S^{ti} Michaelis Archangeli ultimo praeterito durante vita praedicti nunc Episcopi causa praedictae ultimae vacationis Episcopatus illius et custodiae dictorum temporalium ejusdem.

Habenda levanda percipienda retinenda gaudenda utenda et possidenda omnia et singula praemissa cum eorum juribus et pertinentiis universis eidem nunc Episcopo et assignatis suis a supradicto festo S^{ti} Michaelis Archangeli ultimo praeterito durante vita sua per manus suas et ministrorum suorum proprias et per manus omnium et singulorum nunc et nuper escaetorum vicecomitum custodum temporalium senescallorum ballivorum &c. sive aliorum occupatorum omnium et singulorum praemissorum et eorum cujuslibet vel aliquorum aliorum officiariorum nostrorum quorumcumque seu eorum alicujus qui se inde aliquo modo pro nobis aut nomine nostro vel aliter intromiserunt aut intromittere debuerunt in singulis et quibuscumque comitatibus et locis infra regnum nostrum Angliae et Marchiis Walliae in quibus praemissa seu aliquod praemissorum existunt jacent vel situata sunt libere integre quiete bene et in pace ac adeo plene licite et impune de dono nostro speciali prout nos ad omnia et singula occasione vacationis praedictae Episco-

patus illius haberemus seu habere potuissemus si praesens concessio nostra eidem nunc Episcopo facta non fuisset absque perturbatione molestatione inquietatione seu gravamine nostri aut haeredum nostrorum aut justiciariorum nostrorum Baronum nostrorum de Scaccario Escaetorum vicecomitum aut aliorum officiariorum seu ministrorum nostrorum quorumcumque vel eorum alicujus et absque compoto responso onere seu aliquo alio aut aliqua alia re quacumque de pro aut in praemissis vel aliquo praemissorum per ipsum nunc Episcopum Escaetores vicecomites aut aliquem vel aliquos officiariorum aut ministrorum nostrorum praedictorum sive aliquorum aliorum vel eorum alicujus nobis vel dictis heredibus nostris quovismodo reddendo faciendo seu solvendo.

Ac omnimoda debita compota praestita arreragia et demanda quae nobis de aut pro praemissis vel eorum aliquo seu causa vel occasione praemissorum aut eorum alicujus per ipsum nunc Episcopum aut aliquem officiariorum seu ministrorum nostrorum praedictorum vel aliquorum firmariorum tenentium sive occupatorum praemissorum vel alicujus inde parcellae vel aliquorum aliorum pertinent reddenda facienda seu solvenda penitus eidem Episcopo remittimus et relaxamus atque ipsum omnesque et singulos officarios et ministros nostros praedictos de praemissis et quolibet praemissorum pardonamus ac eos et eorum quemlibet erga nos et heredes nostros quantum in nobis est exoneramus ac finaliter penitus acquietamus per praesentes.

Eo quod expressa mentio &c.

In cujus rei &c.

Teste meipso apud Westmon xxvi^{to} die Aprilis anno regni nostri vicesimo octavo.

Per breve de Privato Sigillo et de data auctoritate Parliamenti.

What Mason printed in 1613 was this grant as far as the asterisk, p. 180. He omits the description both of Barlow and Cranmer. The &c. printed above he expands into several lines of legal repetitions. So he did not copy from this Roll as Estcourt thought he did. He omits all the rest of the document.

(Translation of the important parts of the above Grant of Custody. The legal verbiage is curtailed.)

Henry VIII, King, etc. To all, etc.

Know ye that whereas by the death of Richard Rawlyns the late Bishop the Cathedral Church of St. David's is widowed and deprived of pastoral care and is vacant, and that therefore all the temporalities of the said Bishopric from the time of the decease of the late Bishop during the time of vacancy belong to us through our Royal Prerogative.

And whereas the Precentor and Chapter of the said Cathedral Church after the death of the said Bishop, having first obtained our license thereto, have elected our beloved and faithful William Barlow, Prior of the Monastery or Priory of the Holy Trinity of Bostleham Mountague of the Order of St. Augustine, . . . who was nominated by us to the said Cathedral Church of St. David's, to be their Bishop and Pastor, the most Reverend Thomas Cranmer, Archbishop of Canterbury, Primate of All England and Legate of the Apostolic See, has accepted and confirmed that election and has set the said Elect over the Church of St. David's as Bishop and Pastor as appears by Letters Patent from the said Archbishop directed to us.

We therefore . . . have given and granted . . . to the same now Bishop all and every returns &c. of all temporalities whatsoever belonging to the said See.

And all presentations &c. in the gift of the Bishop to which up to the present day during the vacancy of the See we have not already presented :

And also all fines &c. of the tenants &c.

And all other profits of any temporal right whatsoever which belong to the said Bishopric which are in our hands by reason of the vacancy of the said Bishopric, from the feast of St. Michael the Archangel last past during the life of the said now Bishop.

To have, to hold &c. &c. from the said feast of St. Michael Archangel during the life of the said now Bishop.

And all debts &c. &c. &c.

Witness myself at Westminster the 26th day of April of the 28th year of our reign.

By Brief of Privy Seal and by the Authority of Parliament granted.

(4)

Warrant from Sir Thomas Cromwell to Sir Bryan Tuke, Treasurer of the King's Chamber, to pay Thomas Hawley, Clarenceux King of Arms, his dietts for his journey to Scotland. Dated 12th of June 1536.

[From the Ashmolean MS., No. 857, fol. 48. Now in the Bodleian.]

MR. TUKE, whereas ye by the King's commandment certified you by mee the 22 day of January last past before the date hereof payd unto Norroy now Clarenceux King of Armes sent then into Scotland to attend vpon the Lord William Howard and the Bishop then elect of St. Asaph, now elect of St. Davyes, being then also sent in Embassador into Scotland aforesaid vpon a reconning of his dietts after the rate of $vj^s. viij^d.$ by the day for $iiij$ monethes beforehand, accompting $xxviij$ dayes to every Moneth. The same dyettes to be accompted and to begyn the said 22th day of January, the summe of $37^{li} vj^s viij^d.$ Forasmuch as the same Norrey now Clarenceux continued his aboade in the said voyage from the xxj day of January last past before the date hereof vntill the 12 day of June the next following exclusive, viz^t by the space of $cxlij$ dayes, soe that there is due to him for his dyettes for the said tyme the summe of $47^{li} 6^s viij^d$ which hee hath in the said Moneth of January last past whereof received of you the summe of $37^{li} 6^s viij^d$ as before, and soe resteth due to him for his sayd dyettes the sume of x^{li} , I signifie vnto you that the Kings plesure is that ye incontinent of his graces money being in yo^r custody pay vnto the said Clarenceulx the said summe of x^{li} in full supplyment and payment of his said dyetts for the tyme aforesaid. And thus hartily fare ye well. At my house at

the Rolles the xijth day of June in the xxviiith yeare of the reigne of our said sovraigne Lord King Henry the eight, 1536.

The original of the foregoing warrant has not been found. The copy from which it is taken is in a MS. volume containing precedents and other collections relating to Heralds and College of Arms. There is no signature given in the copy, but it is clear that it was from Cromwell, because he was Master of the Rolls at the time, and till the 2nd July next, when he was made Lord Privy Seal. There are letters of Cromwell's dated from the Rolls printed in Tierney's 'Dodd,' vol. i. pp. 432 and 437.

(5)

Extracts from the Journals of the House of Lords, 1536.

12 die Junii. Hodie allatum Regium Breve . . . Episcopo Cicestren. directum, quo idem Episcopus in presenti Parlamento personaliter ad comparendum summonebatur, qui pre.¹

17 die Junii. Hodie allatum est Regium Breve, Reverendissimo in Christo Patri Johanni Norwicen. Episcopo directum, quo idem Episcopus, in presenti Parlamento, ad comparendum summonebatur, qui presens admissus est ad suum Eminencie locum, salvo cuius jure.²

30 die Junii. Hodie allatum est Regium Breve, Reverendo in Christo Patri W. Menivenc. Episcopo directum, quo idem Episcopus, in presenti Parlamento, personaliter ad comparendum summonebatur, qui presens admissus est ad suum Eminencie locum, salvo cuius jure.³

4 die Julii. Hodie allatum est Regium Breve, Edwardo Hereforden. Episcopo directum, quo idem Episcopus, in presenti Parlamento, personaliter ad comparendum summonebatur, qui presens admissus est ad suum Eminencie locum, salvo cuius jure.⁴

¹ Vol. i. p. 85. *Sic* in original, owing probably to his having been consecrated only the day before.

² P. 87.

³ P. 92.

⁴ P. 93.

List of Peers in Order of Precedence, July 4.¹

p. Rmus. in X ^o P. Archiepus. Cant.	p. Archiepus. Eborum.
p. Epus. London.	p. Epus. Dunollen.
Epus. Wyntonie.	Epus. Carliocen.
p. Epus. Exonie.	Dux Richemondie.
p. Epus. Lyncolne.	Dux Norff.
p. Epus. Bath.	Dux Suff.
p. Epus. Elien.	p. Marchio Dorset.
p. Epus. Bangor.	Marchio Exonie.
p. Epus. Hereford.	p. Comes Arundell.
p. Epus. Wigorum.	Comes Oxonie.
Epus. Roffen.	Comes Northumberland.
p. Epus. Cicestren.	Comes Westm'lande.
p. Epus. Norwicen.	Comes Salopie.
p. Epus. Menivenc.	Comes Essex.
Abbas Westm.	Comes Derby.
Abbas Sancti Albani, &c. &c.	Comes Wigorum.
	Comes Rutlande, &c.

(Edward Fox, Bishop of Hereford, had been consecrated some time before, but had never taken his seat. He now is given his proper precedence. The p. stands for 'present.')

(6)

Congé d'élire for Barlow's successor (Wharton) in the see of St. Asaph.

[From Patent Rolls, 28 Henry VIII, p. 2, m. 9.]

REX Dilectis sibi in Christo, *Decano et Capitulo Ecclesiae nostrae Assavensis, Salutem.*

Ex parte vestra nobis est humiliter supplicatum ut, cum Ecclesia nostra praedicta, per liberam Transmutationem Willielmi Barlowe ultimi Episcopi ibidem Electi, sit Pastoris solatio destituta, Alium vobis eligendi in Episcopum et Pastorem Licentiam concedere dignaremur, Nos precibus vestris in hac parte favorabiliter inclinati, Licentiam illam vobis tenore

¹ Pp. 92, 93.

Praesentium duximus concedendam; Mandantes quod talem vobis eligatis in Episcopum et Pastorem qui Deo devotus, Ecclesiae vestrae necessarius, Nobisque et Regno Nostro utilis et fidelis exstat.

In cujus &c.

Teste Rege apud Westmonasterium
vicesimo nono die Maii.

Per Breve de Privato Sigillo.

The same style, 'vacant through the free transmutation of William Barlowe last Bishop Elect,' is kept up through all the other documents for Wharton's appointment.

APPENDIX VI

SOME OF PARKER'S DOCUMENTS

(I)

STEPS SUGGESTED FOR PARKER'S CONSECRATION

['State Papers, Domestic,' Elizabeth, vol. v, 25 (Kal., p. 135).]

*The Cope of
this wold be
sent hither.*

1. Suete is to be made for the Quenes Letters Patents, called Significaverunt to be addressed to Tharchbushopp of the Province, for the confirmation of the Electe, and for his consecration.

*There is no
Archb. nor
iiij bishoppes
now to be had.
Wherefore
Querendum,
&c.*

2. When the See Archiepiscopall is vacant, then after election, lyke Letters Patents for the confirmacion of the electe are to be directe to any other Archebushopp with in the King's dominions. If all be vacant, to iiij. Bushops to be apoynted by the Quenes Letters Patents declaring her graces assent Royall with request for his consecracion and Pall.

*A° 25th Henr.
VIII, cap.
20, the order
is set out at
large, so that
the restitution
to the tempor-
alities is done
after the con-
secration as it
semeth to me
bi the sayd
Act.*

3. The fealtie for the Temporalities of the See is to be made to her Maiestie. The othe also to be geuen. And the ordinary fees to be payde to her Maiesties Officers.

4. The consecracion is to be on suche a Sondag as the Consecrators with th' assent of the Consecrand. shall accorde. And in such place as shall be thought most requisite.

*This booke
is not estab-
lished by
parlement.*

5. Thorder of K. Edward's book is to be observed, for that there is none other speciall made in this last session of Parliament.

The notes on the left hand are in Cecil's handwriting and that on the right in Parker's. A facsimile of the document may be found in Estcourt, 'Question of Anglican Ordinations,' p. 86.

(2)

From Parker's Register at Lambeth. (The Latin original has been frequently printed. A facsimile is given by T. J. Bailey, 'Ordinum Sacrorum,' &c.)

ORDER of Rites and Ceremonies observed in the Consecration of the Most Reverend Lord, Matthew Parker, Archbishop of Canterbury, in the Chapel within his manor of Lambeth on Sunday, viz. : the seventeenth day of the month of December, in the year of our Lord one thousand five hundred and fifty-nine.

'In the first place the east end of the chapel was adorned with tapestry, but the floor was covered with red cloth, and the table which was to be used for the holy offices was placed at the east end thereof adorned with a frontal and a cushion.

'Besides which there were four chairs placed towards the south part of the east end of the chapel, for the four bishops to whom the duty of consecrating the Archbishop was delegated. Moreover a faldstool covered with a carpet and cushions was set before the chairs, against which the Bishops might rest when kneeling. Similarly also a throne and a faldstool adorned with hangings and a cushion

were placed for the Archbishop at the north side of the east end of the same chapel.

‘These things having been arranged in their order, early in the morning, about five or six o’clock, the Archbishop, wearing a scarlet gown and hood, enters the chapel by the west door, with four wax torches borne before him, and accompanied by the four Bishops who were about to perform the Consecration, viz. : William Barloe, sometime Bishop of Bath and Wells now elect of Chichester ; John Scory, sometime Bishop of Chichester now elect of Hereford ; Miles Coverdale, sometime Bishop of Exeter, and John, Suffragan of Bedford ; and all of them having taken in their several order the seats prepared for them, immediately Morning Prayer was said in a clear voice by Andrew Peerson, Chaplain to the Archbishop, at the conclusion of which John Scory, of whom we have spoken above, ascended the pulpit, and having chosen as his text “The elders who are amongst you I exhort, who also am an elder,” preached not inelegantly.

‘The sermon being ended, the Archbishop and the other four Bishops go out of the Chapel together, to prepare themselves for the Holy Communion, and, without delay, forthwith return by the door on the north side, vested in the following manner, viz. : the Archbishop in a linen surplice (as it is called), the Elect of Chichester in a silk cope, ready to celebrate the Holy Communion (*ad sacra peragenda paratus*). He was served and assisted by two of the Archbishop’s Chaplains, viz. : Nicholas Bullingham and Edmund Gest, Archdeacons of Lincoln and Canterbury respectively, similarly vested in silk copes ; the Elect of Hereford and the Suffragan of Bedford in linen surplices.

‘But Miles Coverdale used only a woollen gown reaching down to his feet. In this manner vested and arrayed in their places, they proceed to celebrate the Communion, the Archbishop kneeling upon the lowest step of the Chapel.

‘The Gospel being ended, the Elect of Hereford, the Suffragan of Bedford and Miles Coverdale (of whom above), presented the Archbishop to the Elect of Chichester, sitting before the table in his chair with these words, “Reverend Father in God, we present unto you this godly and well learned man to be consecrated Archbishop.” After he had said this [*sic*] the Queen’s Letters Patent or Mandate for the Consecration were at once produced, which having been read by Dr. Thomas Gale, Doctor of Laws, the oath of the Queen’s supremacy, or for the defence of her Majesty’s Supreme authority was administered to the Archbishop, according to the Statutes made and provided in the first year of our most gracious Queen Elizabeth, which when he had solemnly taken in the words prescribed with his hand on the Holy Gospels, the Elect of Chichester, having exhorted the people to pray, prepared himself to sing the Litany, the choir responding. Which being ended, after some

questions proposed to the Archbishop by the Elect of Chichester, and after certain prayers and suffrages to Almighty God, according to the form of the book published by the authority of Parliament, Chichester, Hereford, the Suffragan of Bedford and Miles Coverdale laid their hands upon the Archbishop and said in English—"Take the Hollie Gost, and remember that thou stirre up the grace of God, whish ys in the by Imposicon of handes, for God hath not given us the Spirite of feare, but of Power and Love and Soberness."

'Having said this they delivered the Bible into his hands using the following words—"Give hede unto the readinge, exhortacon and Doctrine, think uppon thes thinges, conteyned in this Booke, be diligent in them that the increase comminge therbye may be manifest unto all men; Take hede unto thyself, and unto thy Teachinge, and be diligent in Doinge them, for bye doing thys, thou shalt save thyself and them that hear thee through Jesus Xst our Lord."

'After they had said these things Chichester, without any delivery to the Archbishop of the Pastoral Staff, continues the remainder of the Communion Office, with whom the Archbishop, and the four [*sic*] Bishops before named with some others, received the Holy Communion.

'At the conclusion of the service the Archbishop goes out by the north door at the East end of the Chapel, accompanied by the four Bishops who had consecrated him, and immediately, attended by the same four Bishops, returns by the same door, vested in a white Episcopal Surplice, and Chimere, (as they call it), of black silk and wearing round his neck a certain collar made of valuable sables. In like manner Chichester and Hereford were each vested in their Episcopal habits of Surplice and Chimere, but Coverdale and the Suffragan of Bedford wore only woollen gowns. Then, going towards the West door, the Archbishop gave white staves severally to Thomas Doyle his steward, John Baker his treasurer, and John Manch his comptroller, in this manner admitting them to their duties and offices,

'These things, therefore, having been thus done, in due order (as afore said) the Archbishop leaves the Chapel by the West door, those of his family who were of more noble blood preceding him, and the rest following behind.

'All and singular these things were done and performed in the presence of the Reverend Fathers in Christ Edmund Grindall, Bishop Elect of London; Richard Cokes, Elect of Ely; Edwin Sandes, Elect of Worcester; of Anthony Huse Esq. principal and chief Registrar of the said Archbishop, Thomas Argall Esq., Registrar of the Prerogative Court of Canterbury; Thomas Willett and John Incent, Notaries Public, and some others.'

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